

*James Archbold*  
*A*  
*Davidstown to the Aug<sup>r</sup> 1793*  
COLLECTION

OF THOSE PARTS OF THE

STATUTES

NOW IN FORCE IN

IRELAND,

WHICH CONCERN ALL

GRAND JURIES.

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DUBLIN:

Printed by GEORGE GRIERSON, Printer to the  
King's Most Excellent Majesty, 1789.



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Printed by GEORGE GRIFFITH, Printer to the  
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The Statutes of which the whole or any part is here printed are placed in the Order in which they were enacted the Index will enable the Reader to compare together all those which concern the same Subject.

**G**RAND-JURY-ROOMS are not always provided with the Statutes at large, or even with an Abridgement of the Statutes; And, if they were, Few Grand Jurors have either Leisure or Inclination to Inspect and Search through so many large Volumes. The ABRIDGEMENT of our Statutes now consists of Three Quartos, which being published at different times, contain many Acts that are Repealed, in the whole or in part, by Subsequent ones contained in the same Collection.

The Observation of this suggested the Idea of making the following Compilation. The Reader is desired to Observe that though pains have been taken to make it complete, the Compiler will not Venture to assert that it is so; Yet he inclines rather to fear that the doubtful meaning of some Law-Terms has occasioned the Insertion of some Clauses of ancient Statutes which do not concern Grand Jurors, than that any material Clause affecting them has been omitted.

The

The Statutes of which the whole or any part is here printed are placed in the Order of time in which they were Enacted. The Index will enable the Reader to compare together all those which concern the same Subject.

If a Doubt shall remain on his Mind whether any material words of a Statute have been Omitted in the Extract here published, The Dots ( . . . ) and the Italic Characters will point out to him where he is to look for them, as no words of any Section have intentionally been Omitted, except where there are such Dots or Italicks. In this respect, This Collection differs from other Abridgements of our Statutes. The words Printed in Italicks and Figures are Substituted, for brevity's sake, instead of the very words of the Statute, where it was thought the Sense would not be varied by such a change.

Those Statutes which concern only a single County or City are not inserted in this Collection: They would have increased its bulk too much. The Grand Jurors of every such County and City will have occasion to procure, in addition to this Collection such Statutes as peculiarly concern themselves. For their Information, an Alphabetical List of those Acts is here subjoined, in which it is hoped

hoped there are no considerable Omissions: Some few Clauses of that sort are however to be found here, which are interwoven in Statutes which are comprized in the plan of this Collection. The 11 Geo. 3. chap. 9. though affecting only one Province, is inserted for the reason given in the Note at the end of it.

The Compiler is apprehensive that some Readers may think he has Inserted many Clauses in this Collection which its Title does not require, And yet he believes that any Lawyer who shall examine those Clauses which on a slight view may seem such, will see that there are scarcely any of them which a Grand Juror may not on some occasion find it his *Duty* to consult. As to the Index, he thinks he may with more justice be accused of Repetition than of Omission of any material Article in it. He has so often found the inconvenience and loss of time occasioned by consulting defective Indexes, that he has endeavoured to make this one as useful as he could consistently with his wish of not making the Book inconveniently large.

Some Persons may be surprized at seeing a Volume so bulky whose title page promises only *those Clauses* of the Statutes which concern  
all



all *Grand Juries*; but when they see in the following List that there are very near ONE HUNDRED Statutes now in force which contain such Clauses, and that there is a single Statute of those which fills 44 pages, they may probably think it required some pains to reduce it to its present size.

The Eng. Statutes are printed from the first Quarto Edition of Ruffhead. The Irish Statutes to the 12 Geo. 3. inclusive, are printed from Vesey's Folio Edition; and after that time from the Black-Letter Edition; and as particular pains have been taken to have them correctly printed, the Editor hopes very few typographical Errors can be found.

Some of the Abbreviations made Use of in the following Work.

M.	for	Majesty.
Co.	—	County.
Ci.	—	City.
Town.	—	Town.
Bar.	—	Barony.
K. B.	—	King's Bench.
T.	—	Temporary.
P.	—	Peace.
Par.	—	Parish.

Dublin, Feb. 3. 1789.

A  
LIST OF STATUTES,

Which concern only the GRAND JURIES of certain

COUNTIES, CITIES OR TOWNS.

ANTRIM.

- 18 Geo. 3. chap. 22. sect. 8. \*
- 20 Geo. 3. chap. 18. sect. 3. \*
- 24 Geo. 3. chap. 42. sect. 16, 22, 23. \*

CORK COUNTY.

- 7 Geo. 2. chap. 12. sect. 1, 2.
- 3 Geo. 3. chap. 16. sect. 16.
- 28 Geo. 3. chap. 39. sect. 21—24, 27, 28, 29.

CORK CITY.

- 1 Geo. 3. chap. 18. sect. 1—10.
- 3 Geo. 3. chap. 17. sect. 1, 5, 49, 54, 66.
- 5 Geo. 3. chap. 20. sect. 10, 11, 12.
- 5 Geo. 3. chap. 24. sect. 8, 9.
- 12 Geo. 3. chap. 18. sect. 16—20, 29, 30, 54-5.
- 18 Geo. 3. chap. 22. sect. 14.
- 18 Geo. 3. chap. 38. sect. 6—9.
- 20 Geo. 3. chap. 49. sect. 4.
- 22 Geo. 3. chap. 40. sect. 17.
- 24 Geo. 3. chap. 34. sect. 6. \*

[ b ]

DOWN.

## DOWN.

- 18 Geo. 3. chap. 22. sect. 7, \* 8—11.  
 24 Geo. 3. chap. 42. sect. 18. \*  
 27 Geo. 3. chap. 21. sect. 5.

## DUBLIN COUNTY.

- 6 Geo. 1. chap. 10. sect. 1, 3.  
 9 Geo. 2. chap. 6. sect. 2, 4.  
 29 Geo. 2. chap. 14.  
 14 Geo. 3. chap. 34. sect. 24, 25.  
 14 Geo. 3. chap. 43.  
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 20 Geo. 3. chap. 18. sect. 4.  
 20 Geo. 3. chap. 44. sect. 12—14, 16—19.  
 24 Geo. 3. chap. 34. sect. 7. \*  
 25 Geo. 3. chap. 54. sect. 7.  
 26 Geo. 3. chap. 14. sect. 13. \*  
 ——— chap. 14.  
 ——— chap. 61. sect. 56, 69—75.  
 27 Geo. 3. chap. 40. sect. 22.

## DUBLIN CITY.

- 6 Geo. 1. chap. 16. sect. 1, 3.  
 9 Geo. 2. chap. 6. sect. 2, 4.  
 15 Geo. 2. chap. 11. sect. 8, 9. — *Quere if expired.*  
 29 Geo. 2. chap. 14.  
 5 Geo. 3. chap. 20. sect. 14, 15.  
 18 Geo. 3. chap. 22.  
 20 Geo. 3. chap. 18. sect. 4.  
 24 Geo. 3. chap. 34. sect. \* 6, 7. \*  
 ——— chap. 35.  
 26 Geo. 3. chap. 19. sect. 80, 81.  
 ——— chap. 24. sect. 13.

26 Geo.

DUBLIN CITY.

26 Geo. 3. chap. 27. sect. 4—21—24—29, 34,  
35, 36, 47.

———— chap. 40.

———— chap. 61.

28 Geo. 3. chap. 45. sect. 25, 26.

———— chap. 50. sect. 7—11.

GALWAY.

4 Geo. 1. chap. 15. sect. 1.

KERRY.

18 Geo. 3. chap. 22. sect. 8. \*

KILDARE.

18 Geo. 3. chap. 22. sect. 8. \*

KILKENNY.

5 Geo. 3. chap. 15. sect. 29.

20 Geo. 3. chap. 45. sect. 11.

KING'S-COUNTY.

18 Geo. 3. chap. 22. sect. 8. \*

LIMERICK-COUNTY.

18 Geo. 3. chap. 22. sect. 8. \*

16 Geo. 3. chap. 35. sect. 1.

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LIMERICK



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LIMERICK CITY.

12 Geo. 3. chap. 19. sect. 14.

22 Geo. 3. chap. 13.

LONDONDERRY.

18 Geo. 3. chap. 22. sect. 8. \*

QUEEN'S-COUNTY.

25 Geo. 3. chap. 40.

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7 Geo. 3. chap. 20. sect. 12.

20 Geo. 3. chap. 45. sect. 11.

25 Geo. 3. chap. 39. sect. 1, 2, 3.

WATERFORD COUNTY.

20 Geo. 3. chap. 15. sect. 5, 7.

WATERFORD CITY.

20 Geo. 3. chap. 15. sect. 5, 7.

24 Geo. 3. chap. 52. sect. 13, 14, 15, 16.

WICKLOW.

14 Geo. 3. chap. 18. sect. 16.

18 Geo. 3. chap. 22. sect. 8. \*

A LIST of ALL the CLAUSES of STATUTES  
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1870	Jan	2	10	10	10
1870	Jan	3	10	10	10
1870	Jan	4	10	10	10
1870	Jan	5	10	10	10
1870	Jan	6	10	10	10
1870	Jan	7	10	10	10
1870	Jan	8	10	10	10
1870	Jan	9	10	10	10
1870	Jan	10	10	10	10
1870	Jan	11	10	10	10
1870	Jan	12	10	10	10
1870	Jan	13	10	10	10
1870	Jan	14	10	10	10
1870	Jan	15	10	10	10
1870	Jan	16	10	10	10
1870	Jan	17	10	10	10
1870	Jan	18	10	10	10
1870	Jan	19	10	10	10
1870	Jan	20	10	10	10
1870	Jan	21	10	10	10
1870	Jan	22	10	10	10
1870	Jan	23	10	10	10
1870	Jan	24	10	10	10
1870	Jan	25	10	10	10
1870	Jan	26	10	10	10
1870	Jan	27	10	10	10
1870	Jan	28	10	10	10
1870	Jan	29	10	10	10
1870	Jan	30	10	10	10
1870	Jan	31	10	10	10

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1870

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A  
COLLECTION

OF THOSE PARTS OF THE

STATUTES

Now in Force in this Kingdom, which  
concern ALL GRAND JURIES.

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*Statute 52 Hen. 3. chap. 14. A. D. 1267. Eng.*

CONCERNING charters of exemption and liberties, that the purchaser shall not be impannelled in assizes juries and inquests ; it is provided, That if their oaths be so requisite that without them justice cannot be ministered as in great assizes, perambulations, and in deeds or writings of covenants [where they be named for witnesses] or in attainments, and in other cases like,  
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they shall be compelled to swear ; saving to them at another time their foresaid liberty and exemption.

*Statute of Westminster the 2d. made 13 Edw. 1st.  
c. 38. A. D. 1285. Eng.*

. . . . In one assize no more shall be summoned than twenty-four, and old men above seventy years, being continually sick, or being diseased at the time of the summons, or not dwelling in that country, shall not be put in juries or petty assizes : nor any shall be put in assizes or juries, though they ought to be taken in their own shire that hold a tenement of less than the value of twenty shillings yearly. And if such assizes and juries be taken out of the shire, none shall pass in them who holds a tenement of less than the value of forty shillings yearly, except such as be witnesses in deeds or other writings, whose presence is necessary, so that they be able to travel ; neither shall this statute extend to great assizes. . . . . And if the sheriff, . . . . or bailiffs of liberties, offend in any point of this statute, and thereupon be convicted, damages shall be awarded to the parties grieved, and they shall nevertheless be amerced to the king. And justices assigned to take assizes when they come into the shire, shall have power to hear the complaints of all complainants as to the articles contained in this statute. . . . .

*21 Edw. 1. stat. 1. A. D. 1293. Eng.*

. . . . No sheriff, . . . seneschals, or bailiffs of liberties shall from henceforth put in any recognizance afore said \* that shall pass out of their proper counties, or bailiwicks, except he have lands

\* That is (as appears by the preamble) recognitions juratarum inquisitionem assisarum & attinctarum.

or tenements to the yearly value of one hundred shillings at the least. And the king intendeth not by this statute to restrain the last statute of Westminster, . . . . . so that *within* the county . . . . . none shall be impanelled, except he have lands or tenements to the yearly value of forty shillings. And likewise saving that before justices errant, that hold common pleas in their circuit; and also in cities, boroughs, and other market towns, where recognizances, assizes, and juries or inquests, do pass upon any matter touching the said cities, boroughs, and towns, it shall be done like as hath been accustomed in times passed.

28 *Edw. 1. stat. 3. c. 9. A. D. 1300.*

. . . . No sheriff nor bailiff shall impanel in inquests, nor in juries, over many persons, nor otherwise than it is ordained by statute, (2) and they shall put in those inquests and juries such as be next neighbours, most sufficient, and least suspicious. (3) And he that otherwise doth, and is attainted thereupon, shall pay unto the plaintiff his damages double, and shall be grievously amerced to the king.

33 *Edw. 1. stat. 4. A. D. 1305. Eng.*

Of inquests to be taken before any of the justices, and wherein the king is party . . . . ; notwithstanding it be alledged by them that sue for the king that the jurors of those inquests, or some of them, be not indifferent for the king, yet such inquests shall not remain untaken for that cause; (2) but if they that sue for the king will challenge any of those jurors, they shall assign of their challenge a cause certain, and the truth of the same challenge shall be enquired of



according to the custom of the court; and let it be proceeded to the taking of the same inquisitions as shall be found, if the challenges be true or not, after the discretion of the justices.

5 *Edw. 3. c. 10. Eng. A. D. 1331.*

..... If any juror in assizes, juries, or inquests, take of the one party, or of the other, and be thereof duly attainted, hereafter he shall not be put in any assizes, juries, or inquests, and nevertheless he shall be commanded to prison, and further ransomed at the king's will, and the justices before whom such assizes, juries, and inquests, shall pass, shall have power to enquire and determine according to this statute.

25 *Edw. 3. stat. 5. c. 3. A. D. 1350. Eng.*

..... No indictor shall be put in inquests upon deliverance of the indictors of felonies or trespasss, if he be challenged for that same cause by him which is so indicted,

34 *Edw. 3. c. 4. A. D. 1360. Eng.*

..... Panels shall be made of the next people which shall not be suspect nor procured; and the sheriffs, coroners, and other ministers, which do against the same, shall be punished, before the justices that take the said inquest, according to the quantity of their trespasss, as well against the king as against the party.

34 *Edw. 3. c. 8. Eng.*

In every plea, whereof the inquest or assize doth pass, if any of the parties will sue against any of the jurors, that they have taken of his adversary, or of him, for to give their verdict, he shall have his plaint by bill presently before the  
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the justices before whom they did swear, and that the juror be put to answer without any delay; and if they plead to the country, the inquest shall be taken presently. And if any man other than the party will sue for the king against the juror, it shall be heard and determined as afore is said; (4) and if the juror be attainted at the suit of other than the party, and maketh fine, the party that sueth shall have half the fine, (5) and the parties to the plea shall recover their damages by the assessment of the inquest; (6) and the juror so attainted have imprisonment for one year, which imprisonment the king granteth that it shall not be pardoned for any fine. And if the party shall sue by writ before other justices, he shall have the suit in the form afore-said.

38 Edw. 3. stat. 1. c. 12. A. D. 1363. Eng.

Item. As to the article of jurors in the 34th year, it is assented and joined to the same, that if any jurors in assizes sworn, and other inquests to be taken, do any thing take by them, or other of the party, plaintiff or defendant, to give their verdict, and thereof be attainted by process contained in the same article, be it at the suit of the party that will sue for himself, or for the king, or any other person, every of the said jurors shall pay ten times as much as he hath taken, (2) and he that will sue shall have the one-half, and the king the other half, (3) and that all the embracers that bring or procure such inquests in the country to take, gain, or profit, shall be punished in the same manner and form as the jurors; and if the juror or embracer so attainted have not whereof to make gree in the manner afore-said, he shall have the imprisonment

ment of one year. (5) And the intent of the king, of the great men, and of the commons, is, that no justice, nor other minister, shall inquire of office upon any of the points of this article, but only at the suit of the party, or of other, as afore is said.

42 *Edw. 3. c. 11. A. D. 1368. Eng.*

In all manner of panels arrayed by the sheriffs or bailiffs within franchise shall be put the most substantial people, and worthy of credit, and not suspect, which have best knowledge of truth, and be nearest.

11 *Hen. 4. c. 9. A. D. 1409. Eng.*

Because that now of late inquests were taken at Westminster of persons named to the justices, without due return of the sheriff of which some persons were outlawed, . . . the king wills and granteth, . . . that from henceforth no indictment be made by any such persons but by inquests of the king's lawful liege people, in the manner as was used in the time of his noble progenitors, returned by the sheriffs or bailiffs of franchises, without any denomination, to the sheriffs or bailiffs of franchises before made, by any person of the names which by him should be impanneled, except it be by the officers of the said sheriffs or bailiffs of franchises, sworn and known to make the same, and other officers to whom it pertaineth, to make the same according to the law of England; and if any indictment be made hereafter in any point to the contrary, that the same indictment be also void. . . .

7 *Hen. 6. c. 1. A. D. 1429.*

. . . . In inquests to be taken between the king and the party, and the lords of franchises and the party,



party, or between party and party in the courts of the king, or of any lord of franchise, additions of their estate, or of their mystery, or of their places, shall be put in the pannels of the said inquests; and if the sheriffs, or other ministers which have the return of writs, do the contrary, they shall be amerced, and their amerciements shall be assessed and assered by the discretion of the judges before whom the said writs are returned.

10 Cha. 1. sess. 3. chap. 15. sect. 3.  
No person . . . shall . . . embrace any freeholders or jurors, or suborne any witnesses by letters, rewards, promises, or any other sinister labour or means for to maintain any matter or cause, or to the disturbance or hinderance of justice, or to the procurement or occasion of any manner of perjury by false verdict or otherwise in any manner of courts afore said, upon paine to forfeit for every such offence ten pounds, the one moiety thereof unto the king our sovereign lord, and the other moiety to him that will sue for the same, by action of debt, bill, plaint, or information in any of the king's courts; in which action no essoin, protection, wager of law nor injunction shall be allowed.

7 Will. 3. chap. 21.  
Sect. 1. The inhabitants of every barony or county within this kingdom shall make full satisfaction and amends for all robberies, burglaries, burning of houses or haggards of corn, killing or maiming of cattle, which shall be committed or done by robbers, rapparees, or tories, within such barony or county, from and after the royal assent given to this bill, in manner and



and form following: (that is to say) where all or any of the facts shall be committed or done by rapparees, robbers, or tories as aforesaid, that are or shall be papists, or reputed of the popish religion, the popish inhabitants of the barony or county, wherein all or any of the said facts shall be committed, shall make satisfaction and amends for the same; and where all or any of the said facts shall be committed or done by robbers, rapparees, or tories as aforesaid, that are or shall be protestants, or reputed to be of the protestant religion, the protestant inhabitants of the barony or county, wherein all or any of the said facts shall be committed, shall make satisfaction and amends for the same: and if it shall happen that all or any of the said facts be committed or done by popish and protestant robbers, rapparees, or tories as aforesaid, then and in such case the popish and protestants inhabitants of the barony or county, wherein such facts shall be committed or done, shall make satisfaction and amends for the same, and in such proportion, and according to the number of such papists and protestants as shall commit the same: (that is to say) if two papists and one protestant, the papist inhabitants to pay two shares, and the protestants the remaining third part of the said damages, and so *pro rata*, in case of a greater or lesser number: and if all or any of the said facts be committed or done in the division or meeting of two baronies or two counties, so as it shall be uncertain in which county or barony the fact or facts were committed, then and in such case the inhabitants of both baronies or both counties shall make satisfaction and amends for the same, in such manner, and under such distinction, as is hereby declared.

*Sect. 2.* . In all cases where the damages do not exceed the sum of ten pounds, *sterling*, the inhabitants of the barony and franchises within the precincts thereof, wherein all or any of the said facts shall be committed, and not the county at large, shall make satisfaction and amends for the same, in such manner, and with such distinction as aforesaid; and in all cases where the damages do exceed the sum of ten pounds *sterling*, the inhabitants of the county, wherein all or any of the said facts shall be committed, shall make satisfaction and amends for the same in the manner, and with the distinction aforesaid; and that the jury that shall try any action commenced or prosecuted on this act, shall in their verdict ascertain the person and persons that commit such robbery, burning of houses, or haggards of corn, killing or maiming of cattle, whether they were papists or protestants, and the number of the one and the other, as also the damages, according to the evidence that shall be on the trial offered to them.

*Sect. 3.* . . Every person and persons, so as aforesaid robbed or damnified, may be hereby enabled to sue for and recover his or their damages against any inhabitant of the said county or barony, who by this act shall be made liable to answer any part thereof; and that immediately after such recovery and execution against the said inhabitants, all other the inhabitants of the said barony or county, who by this act shall be made liable to all or any part of the said damages, shall be rateably and proportionably taxed for and towards an equal contribution for the relief of such inhabitant, against whom the recovery and execution is had; which tax shall be made, levied, and raised by such ways and means,

means, and in such manner and form, as is prescribed and mentioned in a former statute, intituled, *An act for the following of hue and cry*, made in the tenth and eleventh years of the reign of king Charles the first in this kingdom.

*Sect. 4.* . . No person or persons shall recover any damages by virtue of this act, unless he or they, by themselves or by their servants, within twenty-four hours after such robbery or injury done him or them by any robbers, Tories, or rapparees, or within reasonable time after he shall be at liberty, shall give notice of such robbery or mischiefs done and committed unto some of the inhabitants of some town, village, or hamlet near unto the place where any such fact shall be committed; and shall, within four days after such notice, give in his, her, or their examination upon oath, or of their servant or servants that were in his or their house, or that had the care of his corn, stock, or goods, before some justice of the peace of the county where such fact shall be committed, inhabiting within the barony where the said fact shall hereafter happen to be committed, or near unto the same, whether he or they do know the person or persons that committed such fact, or any of them; and if upon such examination it be confessed that he or they do know the person or persons that committed the said fact, or any of them, that then he or they so confessing shall be bound by recognizance to prosecute such offender or offenders by indictment or otherwise, according to the laws of this kingdom.

5. And moreover be it enacted by the authority aforesaid, that before any action shall be commenced or prosecuted on this act, for recovery



very of damages for any losses sustained by reason of any robbery, burning of houses or corn, or destruction of cattle, contrary to the tenor of this act, the person or persons so injured shall obtain or procure a presentment to be made at the next assizes or quarter sessions to be held after such robbery, injury, or fact committed, by the GRAND JURY of the county where such fact shall be committed, wherein notice shall be taken of such robbery, or other injuries or mischiefs, and of the losses sustained, the number of the offenders, and how many of them are papists, or reputed such, and how many protestants, or reputed such, as also of the barony or baronies, and county, where such fact was committed, with the names of the offenders: but in case where the person or persons robbed, burnt, or injured, or their servant or servants do not know the names of all or any of the offenders, and shall declare so on their oath openly in court, being examined to the said particulars, the said grand jury in such presentment to give the best description they can, on the evidence produced before them, of such malefactors, to the end they may be brought the speedier to justice; which presentment shall be given in evidence, by the person and persons that shall obtain the same, on any trial for damages for his losses sustained, according to the purport of this act.

6. And for the better suppressing robbers, tories, and rapparees, that have so much of late disturbed the peace and settlement of this kingdom; be it enacted by the authority aforesaid, that if any person or persons shall be at any time hereafter presented at the assizes or quarter sessions by the GRAND JURY as a tory, rapparee, or robber out on his keeping, and such presentment



ment being returned to the clerk of the council, the person or persons in such presentment named shall by proclamation from the lord deputy, or other chief governor or governors and council of this kingdom, be proclaimed; and in case such person or persons so proclaimed do not, within the time to be limited by such proclamation, render him or themselves to some one or more justices of the peace of the county where such presentment shall be made, he and they so presented and proclaimed shall from thenceforth be convict of high treason, and suffer accordingly; and that all and every person and persons concealing, aiding, abetting, and succouring such person and persons so presented and proclaimed knowingly, from and after the time so limited by such proclamation, shall be guilty of felony without clergy, and suffer as felons convict of felony, without clergy: and for the better encouragement of such persons as shall take and convict, or kill any robber, rapparee, or tory, in arms and upon his keeping, indicted, proclaimed, or presented as aforesaid, the justices of assize in their circuit, and the justices of peace in their quarter-sessions respectively, with the assent of the grand jury, shall have power and authority to tax and sell every inhabitant in any county, barony, city, burrough, town or parish, within the limits of their commissions and authorities, to such reasonable aid or sum of money, as they shall think fit in their discretion convenient and sufficient for encouraging and rewarding such person or persons as shall take and convict, or kill, any robber, rapparee, or tory in arms and upon his keeping, provided such sums do not exceed twenty pounds for any one tory; which said sum or  
sums

sums of money so to be raised shall be applotted and apportioned by the said grand-jury, and levied by such collectors as they shall appoint; who shall have power and authority to receive the said sums of money, and to distrain every such inhabitant as shall be taxed, and refuse payment thereof; and to sell such distress, and deliver the money taxed to such person or persons as shall take or kill such robber, rapparee, or tory; and the residue, if the distress be better, to deliver to the owner thereof: this act to continue and be of force for three years from the royal assent being given thereto, and to the end of the first session of the next Parliament after the said three years, and no longer.

9 Will. 3. chap. 9.

*Sect. 1.* Whereas an act made in this present session of parliament, entituled, *An Act for the better suppressing tories and rapparees; and for preventing robberies, burglaries, and other heinous crimes*, hath not had its due effect, by reason there is not in the said act sufficient provision made for prevention of murders and maims, that shall or may be committed by such robber, tory, or rapparee; as also by reason of other defects in the said act, and some doubts arisen on the same, and difficulties in prosecution thereof: for remedy therefore of the said defects, explaining the said doubts, and rendering the execution of the said act more easy, be it enacted, . . . That where any person or persons shall, at any time after the 6th Nov. 1697, be murdered, maimed, or dismembered by any robber, tory, or rapparee, and the offender or offenders, or the major part of them, shall not be killed or apprehended, and brought before  
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some justice of the peace or other magistrate within six calendary months next after the committal of such offence, in order to his or their being prosecuted for the same according to law; the respective GRAND JURIES of the several counties in this kingdom, where such fact shall be committed, shall, and are hereby required, at any assizes to be held for such county within one year after such fact committed, to present and charge upon the popish or protestant inhabitants of such county respectively, and proportionably, according as the number of such robbers, tories, or rapparees, shall be papists, or reputed papists or protestants, as is herein after mentioned, the sums following: (that is to say) in case of murder, such sum or sums of money not exceeding twenty pounds, and in case of maim, or dismembering any person, such sum or sums of money, not exceeding ten pounds, as such grand juries on consideration had of the quality of the person murdered, maimed, and dismembered, and circumstances of his family shall think fit; such sum, in case of murder, to be paid to and for the use of the widow and children of the party murdered; or if he shall not be married at the time of his death, then to the use of his children, or other next relation; and in case of maim or dismembering of any person, then such sum to be paid to the use of the person or persons so maimed or dismembered; or if he shall die before the recovery thereof, then to the use of his widow, children, or other relations respectively, as is aforesaid in case of murder; the said sum or sums not to be assets in the hands of such widow, children or relations, or liable to answer or satisfy any debt or debts of the party deceased; which sum so to be presented, shall  
be



be paid by such, and born by the persons, in manner and according to the proportions following: (that is to say) where such robbers, tories, or rapparees are or shall be papists, or reputed of the popish religion, by the papist inhabitants of such county; and where such robbers, tories, or rapparees are or shall be protestants, or reputed to be of the protestant religion, by the protestant inhabitants of such county, and where the said facts shall be committed by papists and protestants, then by the popish and protestant inhabitants of such county, in such proportion, and according to the number of such papists and protestants, as shall commit the same: for the levying of which sum, such process, in the nature of an execution, shall issue on such presentment against any one or more of the persons chargeable therewith, and such contribution had, taxed, and levied for his relief, against all the other persons chargeable therewith, as is herein after appointed in case of satisfaction recovered for losses, or injuries suffered, by such robbers, tories, and rapparees.

2. And whereas the method appointed by the said former act for the person or persons robbed or damaged by such robbers, tories, or rapparees, to recover satisfaction for such damage, is tedious, difficult, and chargeable: be it enacted by the authority aforesaid, That in all cases where any person or persons is by the former act entitled to recover amends or satisfaction, for any loss or damage incurred or suffered by any robber, tory, or rapparee, such person shall or may pursue his remedy for recovery of such satisfaction or amends at the next assizes to be held for the said county, where such offence was committed, before the judge or judges of assize, and

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GRAND JURY of the said county, to be impannelled and sworn at the said assizes in the method following: (that is to say) the person or persons so robbed shall at the said assizes exhibit and deliver to the said judge or judges of assizes his or their petition, therein praying such satisfaction, and shall set forth in such petition the time and place when and where such robbery was committed, or other injury done to him or them, the several particular goods lost, or other particular damages suffered by him or them, and the particular value thereof, and by what number of persons such robbery was committed, or injury done, and of what religion such offender or offenders, or any of them, were; with the names and descriptions of such of the said offenders as he doth know, and such particular descriptions of such others of them as he can give; and the said matter shall thereupon be examined by such judge or judges of assizes in open court, in the presence of such grand-jury, on the oath of the party robbed or injured, and such other evidence as can be produced touching the said facts, according to the nature thereof; and the said grand-jury shall thereupon, and are hereby required, on consideration of the said matter amongst themselves, to make such presentment touching the same, and of such sum or sums of money as the person or persons, so robbed or injured by such offenders, ought to have or for such loss, injury, or damage, and by what persons, whether papists or protestants, and in what proportions for each of them the same ought to be paid; for which sum, so presented and set, process shall issue in the nature of an execution against any inhabitant or inhabitants of the said county chargeable therewith; and all  
and

and every the inhabitants of the said county, who shall by such presentment be made chargeable with, or liable to, all or any part of the said damages, shall be rateably and proportionably taxed for and towards an equal contribution for relief of such inhabitant, or inhabitants, against whom such process in the nature of an execution is had ; which tax shall be made, levied, and raised, by such ways and means, and in such manner and form, as is prescribed and mentioned in a former statute, entitled, *An Act for the following hue and cry*, made in the tenth and eleventh year of the reign of King Charles the first in this kingdom.

3. Provided always, and it is hereby enacted, That if any person or persons shall find him or themselves aggrieved by any presentment, to be made in pursuance of this or the former act, such person or persons, in case the sum presented to be raised do exceed the sum of five pounds, shall or may at the said assizes traverse the same ; which traverse shall be tried at the same or the next ensuing assizes, as the judge or judges who shall allow the same, shall think fit ; and if on such traverse the issue shall be found for the traverser, such presentment shall be discharged ; and if the issue shall thereupon be found against the traverser, he or they so traversing shall pay to the person or persons, on whose behalf the presentment was made, the sum of twenty shillings for the costs of such traverse, and the said presentment shall thereupon be final and conclusive to all persons.

4. Provided further, and it is hereby enacted, That where the person or persons, so robbed or injured, doth intend to proceed to recover satisfaction for the same at any assizes against the

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popish or protestant inhabitants of any barony, such person or persons shall leave notice in writing with the high-constable of such barony of such his intentions, and against what inhabitants, whether papists or protestants, by the space of eight days at least before such assizes; to the end that such high-constable may give publick notice thereof to the inhabitants of the said barony designed to be charged therewith, that they may be provided, and have an opportunity to bring evidence for themselves, and oppose the making such presentment, or otherwise may traverse such presentment, after the same is made, if they shall think fit.

5. And it is hereby further provided, That no such presentment to be hereafter made, shall at any time be removed by *certiorari*, or the prosecution thereupon otherwise delayed, then \* by such traverse as aforesaid; and that for such time only as shall be necessary for the trial of such traverse as aforesaid; nor shall any such presentment be at any time quashed for any informality, imperfection, or defect in form whatsoever.

T. 7 Will. 3. chap. 4. sect. 1.

. . . . In case any of his majesty's subjects of this realm of Ireland . . . shall pass or go, or shall convey or send, or cause to be conveyed or sent, any child, or other person, into any parts beyond the seas, out of his majesty's obedience, to the intent and purpose to enter into, or be resident, or trained up in any priory, abbey, nunnery, popish university, college, or school, or house of jesuits or priests; or in case any of his majesty's subjects of this kingdom shall, after the time aforesaid, pass or go, or be conveyed or sent out of this kingdom into any parts beyond the seas,

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\* (*Than*) must have been the word here intended.



out of the king's obedience, to the intent and purpose to be resident, or trained up in any private popish family, and shall be in such parts beyond the seas, by any jesuit, seminary priest, fryar, monk, or other popish person, instructed, persuaded, or strengthened in the popish religion, in any sort to profess the same, or shall convey or send, or cause to be conveyed or sent, by the hands or means of any person whatsoever, any sum or sums of money, or other thing, for or towards the maintenance or support of any child, or other person already gone or sent, or that shall hereafter go or be sent, and be trained and instructed as aforesaid, or under the name or colour of any charity, benevolence, or alms towards the relief of any priory, abbey, nunnery, college, school, or any religious house whatsoever: every person so going, sending, conveying, or causing to be sent, or conveyed or sent, as well any such child, or other person, as any sum or sums of money, or other thing, and every person passing or being sent beyond the seas, contrary to the intent and meaning of this act, and being thereof lawfully convicted in manner and form hereafter mentioned, or upon any information, PRESENTMENT, or indictment, for any the offences as aforesaid, to be found by ANY JURY OF TWELVE men of the county, or city, or town corporate, where such person or persons so going or sending shall have any estate of inheritance, when he or they did so send or go; such person and persons so going or sending wilfully, from and after such going or sending, shall be forever disabled, . . . to sue in law or equity, or to be guardian, or executor, or administrator, or take a legacy, or deed of gift, or bear office, and forfeit goods, and also lands for life.



*Sect. 10. . . . The 28 Hen. 8. chap. 15. . . .*  
 whereby it is among other things enacted and  
 provided, that every incumbent of each parish  
 within this kingdom shall keep, or cause to be  
 kept . . . a school to learn English; and also  
*the 12 Eliz. chap. 1. entitled, An Act for the*  
 erection of free-schools, . . . and all other acts  
 and statutes now in force in this realm concern-  
 ing schools, shall . . be strictly observed; . . .  
 and . . the justices of his majesty's court of  
 king's-bench each term, and the judges of assize  
 in their respective circuits, and the justices of  
 peace in their general sessions of peace, are re-  
 quired to give this and the said former acts in  
 charge, from time to time, to the several  
 GRAND JURIES to be then impannelled and  
 charged, and to be very circumspect in seeing the  
 same put in due execution.

*2 Anne, chap. 12. sect. 2.*

. . . Where any person or persons . . . shall  
 be lawfully . . . convict of and condemned for con-  
 cealing, succouring, abetting, or harbouring any  
 tory, robber, or rapparee, presented and pro-  
 claimed; . . . in case the judge or judges of  
 assize, before whom such person or persons is or  
 shall be convict, together with the GRAND JURY  
 of the county at the said assizes, shall think him  
 or them fit objects of her Majesty's mercy; . . .  
 then and in such case the said judge or judges of  
 assize shall and may, after having pronounced the  
 sentence of the law on such felons convict as  
 aforesaid, respite the execution of the said sen-  
 tence, and shall remand the said convict felon or  
 felons to the common gaol of the said county,  
 there to remain without bail or mainprize, *till*  
*transported as by future statutes directed.*

*4 Anne,*

4 Anne, chap. 14. sect. 2.

There shall be . . . provided in every city and town of this kingdom, that are counties of themselves, at the charge of the said cities and towns, and also in every county within this kingdom at the charge of the said counties, before the 1st of November 1705, a set of just and true weights: that is to say, one ounce weight, one pound weight, one four pound weight, one seven pound weight, one fourteen pound weight, one twenty-eight pound weight, and one half hundred weight of fifty six pounds: all which said several weights shall be made of brass, and shall be tried, sized, and made equal and just with the weights aforesaid remaining in her Majesty's court of Exchequer; and being so tried, sized, and made just and equal, shall be sealed by the officer, in whose custody the said standard weights do remain, with the same seal wherewith the said standard weights are sealed: for the sealing and trying each weight there shall be paid to the said officer the sum of one penny, and no more: which said several weights shall be and remain in the custody of the mayor for the time being in each city and town, that are counties by themselves, to be the standard weights in the said cities and towns that are counties of themselves; by which all the weights in the said cities and towns are to be tried, sized, and regulated: and in counties at large the said weights are to be and remain in such town in each county, as hereafter named and appointed: (that is to say)

(N. B. An assize-town is named in each county, Balinrobe for Mayo, and Naas for Kildare.)

In the custody of the chief magistrate of the said towns respectively for the time being, to be the standard

standard weights in the said counties respectively, by which all the weights in the said counties are to be tried, sized, and regulated,

*Sect. 5.* . . . . And in case there shall not be a set of brass standard weights provided in each county at large in this kingdom in manner afore-said, . . . the justices of assize at every assizes to be held in this kingdom, and the justices of the peace at their quarter-sessions, shall inquire thereof, and shall fine the said county in any sum not exceeding five pounds, and estreat the same into her Majesty's court of Exchequer; and so continue every assizes and sessions, until the said weights shall be provided as afore-said.

*6 Anne, chap. 6. sect. 5.*

. . . . No papist shall serve on, or be returned to serve on any GRAND JURY in her Majesty's court of Q. B. or in any court before justices of assize, oyer and terminer or gaol delivery, or quarter-sessions, . . . unless it shall appear to the justice or justices of such court, that a sufficient number of protestants cannot be then had for that service;

*T. 6 Anne, chap. 11. sect. 1.* . . . . All loose, idle vagrants, and such as pretend to be Irish gentlemen, and will not work nor betake themselves to any honest trade or livelihood, but wander about demanding victuals, and coshering from house to house among their fosterers, followers, and others, and also loose persons of infamous lives and characters, shall, upon the presentments of the GRAND JURIES at the assizes, . . . of the respective counties where such persons keep or frequent, and upon the



the warrants from the justices of assize, . . . be sent to gaol, and there remain without bail or mainprize; until they shall be sent on board her Majesty's fleet, or to some of her Majesty's plantations in America, whither such justice or justices of the assize, . . . are authorized to send such persons, unless they give sufficient security to be of the good behaviour.

*Sect. 2.* . . . All persons pretending to be robbed shall not only give notice thereof to some neighbouring justice of the peace, as is already provided for by a former act, but shall likewise, on all robberies, within five days after the fact give notice to the high-constable of the barony where such robbery shall be alledged to be committed; and in case such robbery be committed in the division of any two baronies, then to the high-constables of both the said baronies, who are hereby respectively required forthwith to publish the same in all the market-towns of the baronies where such robberies are said to be committed.

*Sect. 6.* . . . Every presentment for any robbery, to be hereafter made by virtue of this or the said former act, \* shall be at the next assizes after such robbery committed, and not at any other assizes afterwards, unless such robbery shall be committed so near to the time of holding such assizes, that no due notice can be given of such robbery before the first day of such next assizes according to the direction of this and the said former act, † in which case it shall and may be lawful for the person robbed to prefer his petition, and to obtain such presentment at the next

\* The 7th William 3. chap. 21.

† 7 Will. 3. chap. 21, and probably 9 Will. 3. chap. 9. though only the former act is mentioned in any part of this statute.



next assizes after such due notice shall be given as aforesaid.

*N. B.* By 29 Geo. 2. chap. 2. this act was continued for 21 years after the end of that session, and till the end of the then next session.

*Quere,* Does it not seem to be now in force, by implication from comparing 28 G. 3. chap. 42. with 9 G. 2. chap. 6. sections 2 and 4.?

8 Anne, chap. 3. sect. 20.

... If any person after 1<sup>st</sup> September 1709, shall discover any archbishop, bishop, vicar-general, dean, jesuit, monk, fryar, or any other regular popish clergyman, or any papist exercising any ecclesiastical jurisdiction, or any secular popish clergyman who hath not been legally registered; or any popish school-master, or any papist, teaching or instructing youth in private houses as tutor or as usher, under-master, or assistant to any protestant school-master, so as the said regular or secular clergyman or popish school-master, tutor, or usher, under-master, or assistant to any protestant school-master, be apprehended and legally convicted, every person making such discovery shall receive as a reward for the same the several sums following: that is to say, the sum of fifty pounds *sterling*, for every archbishop, bishop, vicar-general, or other person, exercising any foreign ecclesiastical jurisdiction in this kingdom; and the sum of twenty pounds *sterling*, for each regular clergyman, and each secular clergyman, not registered pursuant to the said former act; and the sum of ten pounds *sterling*, for each popish school-master, tutor, usher, under-master, or assistant, to be levied on the popish inhabitants of the

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the county, or county of the city or town, where such regular or secular popish clergyman did respectively exercise such foreign jurisdiction, or officiate as a popish priest, and where such popish school-master, tutor, usher, under-master, or assistant, taught or instructed youth, or did most commonly reside, and shall be convicted thereof as aforesaid; the same to be levied in such manner, and on such persons, as money for robberies by a late act against tories, robbers, and rapparees, is to be levied, where the robbery or burglary is presented by the GRAND JURY to be committed by papists only; and to be levied in the county of Dublin, and county of the city of Dublin, in such manner, and on such popish persons, as other publick money is levied, at the general quarter-sessions of the peace in the said county or county of the said city.

*N. B. It appears by comparing this act with the 24th and 62d chapters of the 22d Geo. 3. that no discoverers of such popish ecclesiasticks, as are protected by the two latter acts, can obtain any reward under this clause of 8 Anne, chap. 3. but that the discoverers of such persons, as are protected by the 9 Anne, chap. 6, sect. 4.*

Where any person shall be lawfully convicted of the stealing of cows, bulls, oxen, steers, or heifers, not exceeding the number of two, or of the stealing of calves, sheep or lambs, not exceeding the number of ten, on all the indictments that shall be preferred against such person or persons at one and the same assizes or sessions of oyer and terminer, or gaol delivery, or in the same term in her Majesty's court, of Queen's bench, that in case the justice or justices before whom such person or persons shall be convicted,

vict, shall, upon the application of the **GRAND JURY** of the county at the said term, assizes, or sessions, by presentment in writing for that purpose, think him or them fit objects of mercy, that then and in such case he, she, or they, that shall be so convicted, shall be burned in the hand only; \* and after such burning in the hand such person and persons shall be forthwith enlarged and delivered out of prison, unless such justice or justices shall for further correction think it convenient to detain him, her, or them in prison for some longer time; which such justice or justices, by rule of court or warrant under his or their hands, are hereby impowered to do, not exceeding one year's imprisonment; any law, usage, or custom, to the contrary notwithstanding.

\* See 3 Geo. 2. chap. 4. sect. 6.

2 Geo. 1. chap. 16. sect. 4.

In all cities and towns corporate the chief magistrates of such cities and towns, and the **GRAND JURIES** in all counties of cities, and counties of towns, and the seneschals and grand juries in their respective manors, shall have full power and authority to inspect into the quality of all butter brought to such city, town, or manor, for sale; and if any cask or casks of butter shall be found packed contrary to the directions and regulations of this act, such cask or casks of butter shall be seized by such chief magistrate or seneschal and grand jury, and be liable to the several penalties and forfeitures herein before mentioned, to be recovered as the other penalties in this act are recoverable.

2 Geo.



## 2 Geo. 1. chap. 22. sect. 2.

. . . . It shall and may be lawful to and for the GRAND JURIRS of . . . counties . . from time to time by presentment to raise, . . . any sum or sums of money, as they shall think fit, not exceeding the sum of ten pounds for any one person, to be paid as a reward . . to any person or persons, who shall discover . . . any offender or offenders, who shall be guilty of maliciously maiming, killing, or destroying any horses, sheep, cows, or other cattle, contrary to the . . . 9 Anne, ch. 11. which sums of money, . . . shall be paid to such discoverer and prosecutor in such manner and proportion, as the grand jury shall, . . direct, after the conviction of such offenders, and not otherwise.

## 4 Geo. 1. chap. 12. sect. 5.

. . . Recites 2 G. 1. c. 16. f. 4. and enacts, \* that the said chief magistrate, seneschals, and GRAND JURIES within their respective jurisdictions, shall have full power and authority to inspect not only into the quality of all butter brought to such city, town, or manor for sale, but also such as shall be brought thither, and intended for transportation; and if any cask or casks of such butter shall be found packed contrary to the directions and regulations of this and the said former act, such cask and casks of butter shall be

\* N. B. 10 G. 1. c. 9. directs weighmasters to be appointed in cities, and in towns corporate, for inspecting butter intended for sale or exportation, and is amended and continued by subsequent acts till 29th September 1791, and till the end of the then next session, by which acts the inspection of such butter seems intended to be committed chiefly, if not intirely, to those weighmasters; but as none of those acts expressly take away the powers granted by 2 G. 1. ch. 16. f. 4. or by 4 G. 1. ch. 12. f. 5. to Grand Juries, they continue to have an authority concurrent with the weighmasters.

seized



seized by such chief magistrate, seneschal, or grand juries respectively, and be liable to the several penalties and forfeitures in this and the said recited act mentioned, to be recovered and disposed of as the other penalties in this and the said recited act are recoverable.

T. P. 6 Geo. 1. chap. 10. sect. 1.

. . . . It shall and may be lawful to and for the justices of p. and GRAND JURIES of the respective counties, at the general quarter-sessions, \* and within manors or liberties for the seneschal and jury of the leet, to limit, ascertain, and appoint the number of watch-houses which shall be erected within their respective counties, manors, or liberties, the places where the same shall be kept, and what district or proportion of the parishes, manors, or liberties, adjoining to such watch-houses, shall contribute to the building, repairing, and keeping such watch-houses, and keeping such watch therein; as also to ascertain and provide a sufficient number of watch-bills, staves, and halberts for arming the watch, and necessary fire and candles, to be provided and paid for by the said parishes, manors, or liberties respectively; and . . all money raised for the said purposes shall be paid into the hands of such persons, as shall by such presentment be appointed overseers of the said work, who are hereby required . . . to render an account thereof . . . at the next . . . assizes, or general quarter-sessions, or . . . court-leet, to be held

\* As the 29 G. 2. c. 14. s. 6. forbids Sessions-Grand-Juries to raise any money by presentment, it makes the powers here given inefficient, except as to co. and co. of ci. of Dublin, and the law respecting them expired A. D. 1778.

for such county, liberty, or mannor respectively, where the said work is done.

*Sect. 3.* . . . . Where it shall be found necessary and expedient that watches should be kept on the confines and borders of several parishes, . . . then and in such case it shall and may be lawful to and for the GRAND JURIES of the several and respective counties, counties of cities and towns, within this kingdom at the general QUARTER-SESSIONS of the peace, and within liberties or manors by the jury of the leet, by presentment, to direct and appoint the building of a watch-house or watch-houses on such borders and confines; . . . .

*Sect. 10.* . . . It shall and may be lawful to and for the GRAND JURIES of several counties of this kingdom at the assizes to be held for the several counties, and at the quarter-sessions for the county of Dublin, and county of the city of Dublin, to make presentments, if they think fit, and for the judges and justice of the peace to confirm the same, for the raising of any sum not exceeding twenty pounds *per annum*, to be paid to the treasurer of each county; and also a sum not exceeding ten pounds *per annum* to be paid to the gaoler of each county; and also a sum not exceeding five pounds *per annum* to be paid to the keeper of the house of correction of each county\*.

T. 8 *Geo. 1. chap. 9. sect. 3.*

. . . . Where any murder or robbery shall be committed in the . . . streets of the city of

\* The 14 G. 3. c. 18. s. 12. impowers many Grand Juries to grant larger Salaries to TREASURERS, and 24 G. 3. c. 41. s. 12. gives Grand Juries an unlimited power of granting Salaries to GAOLERS.

Dublin,

Dublin, or in other counties of cities or counties of towns, or the liberties thereunto belonging or adjoining, or in the highway of any county of this kingdom, a reward not exceeding the sum of twenty pounds, shall be given to such person or persons, as shall apprehend or take such murderer or robber, so as he or she shall be convicted thereof; the same to be raised by presentment of the GRAND JURIES of such counties of cities and counties of towns, or county at large, where such facts shall be hereafter committed; and the money so to be raised to be apportioned and levied in such manner as other publick money is raised, apportioned, and levied within such county of a city and county of a town, or county at large, and to be distributed between the persons claiming such reward in such shares and proportions as to the judges or justices, before whom such murderer or murderers, robber or robbers, shall be convicted for such murder or robbery, shall seem reasonable, and be certified under their hands.

*Sect. 4.* . . . . Whosoever shall prosecute to conviction any person or persons for the said offence of taking money or other reward directly or indirectly to help any person or persons to their stolen goods (such offender not having apprehended the felon, who stole the same, and brought him or her to trial for the same, and given evidence against him or her as required by law) shall be entitled to a reward of five pounds for every such offender so convicted as aforesaid; which sum shall be raised and levied in like manner as the reward, which any person or persons may be entitled to for the apprehending any murderer or robber in any county of a city, or any county of a town.

*Sect.*



*Sect. 5.* . . . In case any person or persons shall happen to be killed in the pursuit or apprehending any of the offenders aforesaid, . . . then the executors or administrators of such person or persons so killed, or the person or persons, to whom the right of administration of the personal estate of such person or persons so killed shall belong, shall be entitled to the sum of twenty pounds, to be raised by presentment of the GRAND JURIES of such counties of cities, and counties of towns, or county at large, where the said fact was done and committed \*.

*12 Geo. 1. chap. 9. sect. 1.*

. . . It shall and may be lawful for every archbishop, bishop, dean, dean and chapter, dignitary, or prebendary of a cathedral church, out of any land to him, them, or any of them, in any wise belonging, by deed, to be inrolled in the high court of Chancery of this kingdom, to appoint and set apart any piece of ground not exceeding one plantation acre, and lying near the cathedral church, or in some more convenient part of each respective diocese, to be approved of by the chief governor or governors of this kingdom for the time being under his or their hand and seal, for the use of the master of the free-school of the said diocese; and that such piece of ground so set out shall for ever be deemed and reputed to be the place for the free-school of the said diocese; and that in every diocese, until such piece of ground shall be set out and appointed for the place of the free-school, the said free-school shall and may be kept in such con-

\* N. B. This act is by 28 G. 3. chap. 42. continued to the 24th June, 1790, and to the end of the then next session of parliament.



venient place within the said diocess, as the archbishop or bishop of the same can procure either for a yearly rent or otherwise.

*Sect. 2.* Provided, That where in any diocess there already is a piece of ground legally appropriated to the use of a diocess-school, such piece of ground so appropriated shall for ever be and remain in the place of the diocess-school of the said diocess; any thing in this present act to the contrary notwithstanding.

*Sect. 3.* And whereas the said act \* appoints, That the free-school of each diocess shall be builded and erected at the costs and charges of the whole diocess, without respect of freedoms, by the devise and oversight of the ordinaries of the diocess, or of the vicars-general (*sede vacante*) and the sheriff of the shire, but no sufficient way is appointed for the applotting or levying of such money, as upon that occasion may be found necessary; by reason whereof, and of the want of fixed and settled places to be appropriated unto such schools in most diocesses, no money has ever yet been raised for the building of such free-school, and where any such money has been raised, it has hitherto turned to very little account: be it therefore enacted by the authority aforesaid, That no money shall be raised for erecting of such school, until such time as a place for the same shall according to this present act, or in some other sufficient manner, be appointed; and that from and after such appointment of a place for a free-school within any diocess, it shall and may be lawful for the GRAND JURY of each county from time to time to present such sum or sums of money, as they shall

find reasonable, to be levied for their respective proportion towards the building or repairing such diocess-school; which sum and sums so presented, the presentment being confirmed by the court, shall be levied upon the whole or such part of the said county, as shall be situate in each respective diocess, in such manner as other publick money is levied upon presentments made by grand juries.

*Sect. 4.* . . . When any money shall be levied towards the building of a free-school in the manner herein mentioned, the same shall be paid by the treasurer of the county into the hands of such person, as the GRAND JURY in their presentment shall appoint, who shall account for the same upon oath in such manner, and at such time, as the respective grand juries shall direct, or in their presentment appoint.

*3 Geo. 2. chap. 4. sect. 5. \**

. . . Where any felon, vagabond, or other offender, who now is or hereafter shall be convicted of any offence, for which such person is or shall be liable to transportation by this or any former statute, or presented by the GRAND JURY as a vagabond in order to be transported; the grand juries at the several assizes, or in the king's bench, or on any commission of oyer and terminer, or at the general quarter-sessions of the peace for the county of Dublin, or county of the city of Dublin, instead of the sum formerly ordered for the transportation of felons, vagabonds, and other offenders, may present any sum of money not exceeding six pounds for the effectual transportation of each person so con-

\* In force till 24 June 1790, and till end of the then next session.

victed or presented, in which shall be included a sum not exceeding twenty shillings for transmittal of such persons so to be transported as aforesaid; which sum or sums, when presented and levied, shall be paid by the treasurers of the respective counties, where such persons have or shall be convicted or presented for transportation, to the sheriff or sheriffs of the several respective counties; . . . . .

*Sec. 6.* And whereas in certain cases the GRAND JURIES have a power of recommending convict felons to mercy, and such felons now are burnt in the hand and dismissed: be it further enacted, . . . that from and after 1<sup>st</sup> March 1729, such felons convict so recommended shall be either burned in the hand, or transported to the plantations in the common manner, at the discretion of the court or judge before whom such offender shall be convicted.

*3 Geo. 2. chap. 5. sect. 6.*

. . . . No money shall be raised or levied in any county in this kingdom for relief of poor prisoners, but by presentment of the GRAND JURIES at the general assizes to be held for the said respective counties, and at the quarter-sessions to be held for the county of Dublin, and county of the city of Dublin; and that all sums of money so to be raised for the use of the poor prisoners, and levied according to the usual methods of raising publick money, shall be by the respective treasurers of the said counties paid to the respective ministers of the parishes, wherein the gaols for such counties are respectively kept, or in the absence of such minister to his curate; and the money so to be received by the said minister or curate, or so much thereof as to them shall



shall seem necessary, shall be by them and the church-wardens of the said parishes weekly distributed to or laid out in bread or other necessities for the poor prisoners in the said gaols, who have no means to maintain themselves, in such proportion as to the said minister or curate, and church-wardens, in their discretion shall seem fit and convenient; and that every of the said ministers or curates, and church-wardens, their respective executors and administrators, shall in open court at every general assizes to be held for the said counties respectively, and at the quarter-sessions to be held for the county of Dublin, and county of the city of Dublin respectively, make a just and true account upon oath of their receipts and payments; and if they or any of them shall refuse the receipt of the said money, and to pay and distribute the same, and to make a true account in manner and form aforesaid, they shall respectively by the judge or judges of assize at their assizes, and justices of the peace at their quarter-sessions to be held for the county of Dublin, and county of the city of Dublin, be fined in any sum not exceeding the sum of twenty pounds, to be levied and paid to the succeeding church-wardens for the use of the poor prisoners in the said gaols respectively.

3 *Geo. 2. chap. 9. sect. 6.*

... The judges of assize in this kingdom, or any of them, in their respective circuits, commonly called the lent and summer assizes, shall from time to time inquire what persons remain in gaol in the several counties within their circuits merely for fees due by them to the high sheriff, deputy sheriff, gaoler, clerk of the crown and clerk of the peace, or his or their deputy or de-



puties, or any of the persons aforesaid; and, upon such inquiry and a representation of the GRAND JURY of such county that such person or persons are not able to pay his or their fees, shall forthwith discharge such person or persons out of the said several gaols, as upon due examination of their circumstances they shall find unable to pay or discharge such fee or fees.

*7 Geo. 2. chap. 12. sect. 3.*

... Every high constable who shall be appointed for any barony in any county within this kingdom; except the city of Dublin and county of Dublin, shall be appointed by a presentment of the GRAND JURY of such county at the general assizes held for the same, to be confirmed by the court, and not at any quarter-sessions, and that such high constable shall continue in his office for one year after such appointment, unless sooner removed by the presentment of such grand jury to be so confirmed as aforesaid; and that every such high constable shall at the expiration of one year be discharged from the said office, provided he has duly accounted for the publick money which came to his hands, and shall produce to the grand-jury at the assizes an authentick discharge for the same, under the hand of the treasurer of such county.

*9 Geo. 2. chap. 6. sect. 4.*

... It shall and may be lawful to and for every person or persons so presented\* by any GRAND JURY at the king's bench, the assizes, sessions of oyer and terminer, and gaol-delivery

\* These words refer to the vagrants, &c. described in 6 Anne, c. 11. s. 1. and in the second section of this act as presentable.

aforesaid,

aforesaid, and general quarter-sessions of the peace for the county of the city of Dublin and county of Dublin, to TRAVERSE such presentment, if he, she, or they shall think fit; . . .

13 Geo. 2. chap. 6. sect. 10.

. . . As often as any person so convicted \* shall not pay the fine imposed pursuant to this act † within one calendar month after his or her years imprisonment shall be expired, whereby the persons discovering and convicting such offender or offenders may lose the reward hereby intended for him or them, then and in such case the person or persons so discovering and convicting such offender or offenders shall have and receive the sum of ten pounds for every offender so convicted as aforesaid, to be given or distributed to and amongst such person or persons prosecuting to conviction such offender according to the direction of the justices before whom such offender shall be convicted; which said sum of ten pounds the GRAND JURY, who shall present such offender to be insolvent as aforesaid, shall present to be levied on the popish inhabitants of the county, county of the city, or county of the town, wherein such offender shall be convicted; and the same shall be raised and paid to the person or persons hereby entitled to the said sum of ten pounds by such ways and means, and in such manner, as money is usually levied and raised upon the county to and for the reimbursing persons robbed of money or goods by tories, robbers, or rapparees.

\* That is convicted, as mentioned in this act.

† This act is entitled an act to explain, amend, and make more effectual, an act passed in the 7 Will. 3. entitled "an act for the better securing the government by disarming papists."

13 Geo. 2. chap. 6. sect. 19.

. . . All and every justice and justices of assize, and oyer and terminer, shall give this and the said former act \* in charge, as often as any of them shall give a charge to any GRAND JURY.

17 Geo. 2. chap. 5. sect. 1.

. . . Every person or persons who shall kill, cut, open, or skin, any bull, ox, cow, steer, bullock, heifer, calf, sheep, or lamb, or any horse, mare, gelding, colt, filly, ass, or mule, with an intent to steal the whole or any part of the fat, flesh, skin, or carcass thereof, or shall thereout take the fat, or take away any part of the flesh, or carcass, or skin thereof, with an intent to steal the same, or shall maliciously kill, maim, or wound, with an intent to destroy any one or more of the cattle aforesaid, and his, her, and their accessories before the fact, and all and every person or persons who shall receive or buy any tallow, fat, or suet, or the skin or carcass, or any part thereof, of any such beast or other cattle aforesaid from such offender or offenders, knowing the same to be so unlawfully taken, being thereof convicted, shall suffer death as in cases of felony without benefit of clergy or of any statute.

Sect. 2. . . It shall and may be lawful to and for the GRAND JURIES of the several and respective counties at the assizes, and for the grand juries of the county of Dublin and county of the city of Dublin at their quarter-sessions respectively, to raise by presentment, as other county charges are raised, such sum or sums of money as they shall think fit, not exceeding the sum of five pounds

\* In 7 Will. 3. c. 5.



for each offender convicted of any the offences aforesaid, to be paid as a reward and encouragement to any person or persons who shall discover and prosecute to conviction any such offender or offenders; and in case there shall be two or more concerned in the discovery or prosecuting to conviction such offender or offenders, the justice or justices, before whom such offender or offenders shall be tried and convicted, may appoint, apportion, and distribute, such sum or sums of money amongst such discoverers or prosecutors, in such share and shares as he or they shall think fit, and not otherwise.

*Sect. 3.* . . . If any person who shall be guilty of any the offences aforesaid, shall within ten days after such offence committed, and before his or her conviction, first discover one or more of his or her accomplices therein, so as such accomplice or accomplices be convicted of such offence, the offender so first discovering shall be clearly acquitted and discharged of and from such his or her offence, and shall be entitled to the reward, or such share thereof as any other discoverer could or might be entitled unto by virtue of this act; any thing herein before contained to the contrary notwithstanding.

*17 Geo. 2. chap. 6. sect. 1.*  
 . . . Every person or persons that shall at any time or times by night, or in the day time, . . . privately and feloniously steal any goods, wares, and merchandizes, to the value of five shillings or more out of any shop, tan-yard, or drying-house, belonging to a tanner, warehouse, cellar, coach-house, stable, or other out-house, though not adjoining to the dwelling-house of the owner thereof, although such shop, warehouse, tan-yard,



tan-yard, drying-house, cellar, coach-house, stable, or out-house, be not actually broke open by such offender or offenders, and although the owners of such goods, or any other person or persons, be or be not in such shop, warehouse, tan-yard, drying-house, cellar, coach-house, stable, or other out-house, to be put in fear, or shall feloniously steal any goods to the value of five shillings or more, left on any quay or in any wharf in this kingdom by any merchant or other person, or shall assist, hire, or command, any person or persons to commit such offence or offences, . . . shall be absolutely debarred . . . from the benefit of the clergy or of any statute.

*Sect. 2.* . . . The GRAND JURIES at the assizes of the county, or county of the city or town, where any of the said offences shall be committed, and the grand juries at the quarter-sessions for the county of Dublin and county of the city of Dublin, may make presentments, if they think fit, for raising of any sum not exceeding the sum of five pounds for every person or persons, who shall apprehend any person or persons guilty of any of the said felonies, and prosecute such person or persons so apprehended to conviction; . . .

*Sect. 4.* . . . . A sum not exceeding five pounds shall be given as a reward to any person or persons who shall apprehend and prosecute to conviction any person guilty of robbery in any part of this kingdom, for which no reward was given by any former law before the making the said recited act of parliament (*that is, 13 Geo. 2. c. 10.*); which said sum not exceeding five pounds shall be raised by presentment of the GRAND JURY at the assizes of the county, wherein

wherein such robbery shall be committed, as other county charges are raised, or at the quarter-sessions for the \* county of Dublin or county of the city of Dublin respectively, if such robbery shall be committed there.

19 Geo. 2. chap. 7. sect. 6. At the several assizes to be held in the several counties and counties of cities and towns within this kingdom, and at the general quarter-sessions of the peace for the county of Dublin and county of the city of Dublin, this act and the 7 Will. 3. c. 4. entitled, "an act to prevent foreign education," shall be publickly read in open court by the clerk of the crown and peace respectively, after the GRAND JURY is impannelled, and before the charge is given.

23 Geo. 2. chap. 14. sect. 1. Whereas by the laws now subsisting in this kingdom, petty constables within the precincts of leets are to be appointed in their respective courts-leet, and, where there are no leets, such constables are in most places to be appointed in the torns of the sheriffs of the respective counties: . . . And whereas the seneschals and sheriffs do often neglect to appoint petty constables . . . be it enacted, . . . that . . . if from any . . . cause no petty constable shall be duly appointed for any district at the time, when such constable ought to be appointed, it shall and may be lawful to and for the justices of the peace for the county in which such torn or leet is, and they are hereby required at their next sessions to appoint for that time,

\* This power is repealed so far as relates to the county of Dublin, by 25 G. 3. c. 54. s. 7. and greater powers given.

and

and to swear petty constables for the several districts and divisions within the precincts of such torn or leet respectively; and if the said justices of the peace shall neglect so to do, . . . then the justices of and at the next assizes for such county, and the judges of the court of king's bench in term for the county of Dublin, upon presentment of the GRAND JURY of such county, shall appoint, swear, or order to be sworn, before any justice of the peace of such county, the person or persons named in such presentment into the office of petty constables for the several districts and divisions so neglected; provided that the petty constables so appointed by the said justices of the peace, and judges of assize, and judges of the king's bench, shall not be compelled to serve for a longer time than they would have been respectively obliged to serve in the said office, in case they had been duly appointed in the torn or leet.

*Stat. 3. . . .* Every person, who shall serve one year in the office of high-constable, and shall have accounted for all the publick money within his barony or district, and be legally discharged from the said office, shall not be compelled by any GRAND JURY to serve again in the said office, for or during seven years next ensuing such discharge; and if he shall be appointed by the presentment of any GRAND JURY, such presentment shall not be confirmed by the judge or judges of assize.

T. 25 Geo. 2. ch. 12. sect. 1.\*

. . . . If any person or persons shall hereafter be presented by the GRAND JURY at any assizes, or

\* Revived by 18 G. 3. c. 36. s. 11. and continued till 24 June 1790, and till end of then next session.

general



general quarter-sessions of the peace, for having opposed or resisted, or aided in the opposing or resisting, the execution of any process of the law for giving or quieting the possession of any lands or tenements, or for having insisted, or used any means to seduce or prevail upon any person or persons to insist, or for having endeavoured to make any person or persons insist or serve as a soldier or non-commissioned officer, in any foreign service without leave or licence of his majesty, his heirs and successors, under the sign manual of his majesty, his heirs or successors, or of the chief governor or governors of this kingdom for the time being, under his or their hands for that purpose first had and obtained, and such presentments being returned to the clerk of the council, the person and persons in such respective presentments named shall by proclamation from the lord lieutenant, or other chief governor or governors and council of this kingdom, be proclaimed; and in case such person or persons so presented and proclaimed for having opposed or resisted, or aided in the opposing or resisting the execution of any such process, do not within the time to be limited by such proclamation render him, her, or themselves to some one or more of the justices of the peace of the county, county of the city or town, where such presentment shall be made, he, she, or they, so presented and proclaimed, shall from thenceforth be convict of felony, and transported to some of his majesty's plantations in America, as in cases of felony. . . .

*Sect. 2.* . . . The printed proclamation wherein such person and persons are named and mentioned to be presented by the GRAND JURY of any county, or county of any city or town, in  
this



this kingdom, at the general assizes or quarter-sessions to be guilty of the offences aforesaid, shall be taken, deemed, and adjudged sufficient evidence against such person and persons.

*Sect. 3.* Provided always, that before any GRAND JURY shall present any person or persons as aforesaid, examination shall be taken before some judge of the court of king's-bench, judge of assize, or justice of the peace, upon oath, before he, she, or they, shall be presented as aforesaid; which examination shall be lodged with the clerk of the crown or peace for the county or place where such person or persons shall be presented, and a copy thereof shall be certified, together with the presentment, to the chief governor or governors and council of this kingdom, before the person or persons so presented shall be proclaimed.

*25 Geo. 2. chap. 14. sect. 3.*  
*Sect. 4.* It shall and may be lawful to and for the several respective GRAND JURIES at any assizes to be held hereafter in any county, or in any county of any city, or in any county of any town, within this realm, if they shall think fit, at every such assizes to present any sum not exceeding the sum of 10 POUNDS, to be paid to the patentee clerk of the crown; and likewise any sum not exceeding the sum of 5 POUNDS, to be paid to the clerk of the peace for such county, city, or town, towards enabling them to defray the expences of attending and executing their said office; and the several justices of assize in and for such county, city, or town, as often as any such presentment shall be made, are hereby authorized and impowered to allow and confirm the same, if they shall think fit.

*Sect. 4.*

*Sect. 4.* Provided always, that no such presentment shall be made or confirmed for any such sum, to be paid to any such clerk of the crown, unless he shall PERSONALLY attend at such assizes, and perform the duties of his said office, and shall make oath in open court, if required, that he does not hold the said office in trust in whole, or in part, for any other person or persons whatsoever.

*T. P.—29 Geo. 2. chap. 6. sect. 2.*

. . . . No sheriff, or under-sheriff, bailiff, or other officer, or person whatever, shall directly or indirectly take or receive any money or other reward to excuse any person from serving or being summoned to serve on juries, or under that colour or pretence; and . . . no bailiff or other officer, appointed by any sheriff or under-sheriff to summon juries, shall summon any person to serve thereon, other than such whose name is specified in a mandate signed by such sheriff or under-sheriff, and directed to such bailiff or other officer; but shall summon every person named in such mandate, by the space of six days at least before the time appointed for such jury to appear; . . . any officer wilfully transgressing, to be fined by the court from 20*l.* to 40*l.*

*29 Geo. 2. chap. 7.*

. . . . The GRAND JURY of each county, wherein a diocese-school is situate, may from time to time at the assizes to be held for said county, present such sum or sums of money, as they shall find reasonable, for the repairs of the said school; which sum or sums so presented (the presentment being confirmed by the court) shall be levied upon the county at large,  
in

in such manner as other publick money is levied upon presentments made by grand-juries.

*T. P.—29 Geo. 2. chap. 12. sect. 5.*

... The inhabitants of every barony, as well protestants as papists, shall make full satisfaction to all and every person and persons, their executors and administrators, for the damage which they shall have sustained or suffered by killing, haughing, or maiming any horses, horned cattle, or sheep, or by setting fire to any house, out-houses, barn, stable, hay-yard, stack or rick of corn, hay, straw, or turf, or to any ship or boat, which shall be committed or done by any offender or offenders as aforesaid in such barony; and that every person or persons, who shall sustain damages by any of the felonies aforesaid, shall be and is and are hereby enabled to sue for and recover such, his, her, or their damages, the sum to be recovered not exceeding the sum of 50 POUNDS, against any one or more of the inhabitants of the said barony, who by this act shall be made liable to answer all or any part thereof; and ... if such person or persons shall recover and obtain execution against any such inhabitant or inhabitants, all other the inhabitants of the barony, who by this act shall be liable to all or any part of the said damages, shall be rateably and proportionably taxed for and towards an equal contribution for the relief of such inhabitant or inhabitants, against whom such execution shall be had and levied; which tax shall be made, levied, and raised by such ways and means, and in such manner and form, as has been heretofore used for the levying and raising money.

*Sect. 6.* ... No person or persons shall be enabled to recover any damages by virtue of this act,



act, unless he, she, or they, by themselves, or by their servants, within two days after such damages or injury, done him or them by any such felony as aforesaid, shall give notice of such felony done and committed unto some of the inhabitants of some town, village, or hamlet in the barony, near unto the place where any such fact shall be committed; and shall within four days after such notice give notice to the high-constable of the said barony of the said offence; and shall also give in his, her, or their examination upon oath, or the examination upon oath of his, her, or their servant or servants, that had the care of his, her, or their house, out-houses, corn, hay, straw, turf, ship, boat, or cattle, before some justice of the peace of the county, where such fact shall be committed, inhabiting within the said barony where the said fact shall happen to be committed, or near unto the same, whether he, she, or they, do know the person or persons, who committed the said fact, or any of them; and in such case such examinant or examnants shall be bound by recognizance to prosecute such offender or offenders by indictment or otherwise according to the laws of this realm.

*Sec. 7.* . . . When any felony shall be committed against this act, and any one of the offenders shall be apprehended, and lawfully convicted of such felony at the next assizes to be held for the county, where such felony was committed, no barony, nor any inhabitant thereof, shall in any wise be subject or liable to make any satisfaction to the party injured, for the damages he shall have thereby sustained; any thing in this act to the contrary notwithstanding.

*Sec. 8.*



*Sect. 8.* . . . Any person or persons, who shall discover and prosecute to conviction any such felon, shall be entitled to a reward of 10 POUNDS, to be recovered as aforesaid against the inhabitants of the barony, in which such felony shall be committed; and if such discoverer and prosecutor be a party concerned in such felony, he shall not only be entitled to the said reward of ten pounds, but be entitled to his pardon for any felony before that time by him or her committed against this act.

*29 Geo. 2. chap. 14. sect. 6.* . . .

. . . No money shall be raised by presentment of GRAND JURIES at the quarter-sessions (except at the quarter-sessions for the county of Dublin, and county of the city of Dublin) for any purpose whatsoever; and . . . money for the building, use, or repair of houses of correction, shall for the future be raised by presentments of GRAND JURIES, and confirmed by the judges at the assizes, who may appoint overseers to lay out the money so presented; which shall be accounted for, when laid out, in the same manner as money presented for the repair of highways: provided that no more money shall be presented for the use or repair of any house of correction, after the same is or shall be built, at any one assizes, than the sum of 10 POUNDS sterling.

*T. P. 33 Geo. 2. chap. 7. sect. 1.*

. . . The sheriffs of counties of cities and counties of towns respectively (*Dublin excepted*)\* shall within fifteen days after every assizes, at which any money shall be presented to be raised,

\* Cork also excepted by the 1 Geo. 3. c. 17.

post up notices in writing upon the tholfels or market houses of such cities and towns respectively, appointing a day, which must be at least six days after the time of posting up such notice respectively, for holding an assembly in the publick court-house of such city or town to assess the several sums, presented to be raised at the preceding assizes; and the justices of the peace of such counties of cities and counties of towns, respectively shall, and are hereby required to, assemble at the time and place mentioned in such notices; and such justices so assembled, or the major part of them, shall publickly and in open court ascertain the sums to be raised upon such parts of the said counties of cities and counties of towns respectively, as have been usually charged, according to the acre, and shall applot the same in the usual manner; and as to such parts of the said counties of cities and counties of towns as have been heretofore usually charged according to the substance of the inhabitants, they shall ascertain the sum to be raised by each respective parish.

*Sect. 2.* . . . The town-clerks of such cities and towns respectively shall attend at all such assemblies, and shall make regular and fair entries of all such assessments in a book to be kept for the purpose, and shall within ten days after such assessments deliver, or cause to be delivered, to the respective ministers or curates of the said several parishes notices in writing, subscribed with the names of such town-clerks respectively, mentioning the sums to be raised by such parishes respectively.

*Sect. 3.* . . . Such parishes respectively shall within thirty days after such respective notices applot the sums, to be raised by such respective parishes,

parishes, in the same manner as parish rates are usually applotted, and shall return such applotments respectively, subscribed with the respective names of the ministers and church-wardens of the said respective parishes, to the respective town-clerks; and in default of such applotment or return within the time herein before mentioned the said justices respectively, or the major part of them, shall at publick assemblies, to be held for the purpose within one month after such neglect, applot the sums to be raised by such parishes respectively, as shall omit to make such returns, and shall return such applotments under their respective hands to the said respective town-clerks.\*

*Sect. 4.* . . . Such town-clerks respectively shall make regular and distinct entries of all such applotments in their respective books herein before mentioned, and shall file all such returns, and shall upon demand without any fee or reward deliver to the respective treasurers of such counties of cities and counties of towns attested copies of such applotments.

*Sect. 5.* . . . In case any of the said justices shall wilfully abscond himself from any such assembly, he shall forfeit for every such offence the sum of ten pounds; to be recovered by civil bill before the next going judges of assize for the city or town, for which he shall be a justice by any person, who shall sue for the same; and in case any of the said town-clerks shall neglect or omit to observe the directions herein before or herein after mentioned, he shall forfeit for every such offence the sum of twenty pounds; to be recovered in like manner by civil bill by any person, who shall sue for the same.

\* By 1 G. 3. c. 17. s. 22. such minister in whose parish there shall be such neglect is liable to 1*l.* penalty for every such offence.



*Sect. 6.* . . . All money that shall be presented to be raised . . . within counties of cities or counties of towns, shall be collected by the respective treasurers \* of such counties of cities and counties of towns, or by persons impowered by them respectively, and for whom they shall be respectively answerable.

*Sect. 7.* . . . The said treasurers respectively shall at every assizes, at which any money shall be presented to be raised, enter into recognizances with two sufficient sureties before the respective judges of assizes in double the sums presented to be raised, conditioned to collect and duly to account for the several sums so presented.

*Sect. 8.* . . . The said treasurers respectively shall collect the several sums, so presented and applotted as aforesaid, before the assizes next ensuing the assizes, at which the same shall be so presented, and shall on the first day of the said next assizes respectively return accounts to the respective judges of assize with the affidavits of such treasurers respectively at the foot thereof, verifying the truth of such accounts, of the several sums so collected, and to whom the same, or any part thereof, shall have been paid, and at what times respectively; and such treasurers respectively shall likewise return the like accounts and affidavits to the respective GRAND JURIES for such counties of cities and counties of towns; and in default of such returns it shall and may be lawful to and for the respective judges of assize to fine such treasurers respectively in any sum, not exceeding the sum of one hundred

\* By 1 G. 3. c. 17. s. 23. any such treasurer is liable to 20l. fine, and to be committed for refusal or wilful neglect.



pounds, and to commit such treasurers respectively for the same.

*Sect. 9.* . . . If the said respective judges or GRAND JURIES shall suspect the truth of any article in such accounts, it shall and may be lawful to and for them respectively to examine such treasurers respectively, or any other persons they shall think fit, upon oath, touching the truth of such articles; and in case it shall be discovered, that any such treasurers have been guilty of any fraud in such account, the judges of assize respectively may fine such treasurer in any sum not exceeding the sum of one hundred pounds, and commit him in execution for the same.

*Sect. 10.* . . In case any such treasurer shall swear any thing, which is false, in such affidavit, he shall upon conviction thereof suffer such punishment, as persons convicted of wilful and corrupt perjury are by the laws of this kingdom subject to.

*Sect. 11.* . . . In case it shall appear by such accounts, that there shall have been any insolvencies, such sums, so returned insolvent, shall be charged upon the respective parishes, in which such insolvencies shall have happened, and shall within one month after such assizes be applotted by such respective parishes, or in default thereof by the justices of the peace in manner herein before mentioned.

*Sect. 12.* . . Such treasurers respectively shall be allowed twelve pence for every pound they shall actually collect and account for as aforesaid; and . . . the said respective GRAND JURIES shall at the assizes, at which such sums shall be so accounted for as aforesaid, present the same to be levied and paid to such respective treasurers, for their

their respective trouble and expence in collecting the sums so accounted for.

*Sect. 13.* . . . The said respective town-clerks shall immediately after such assizes file in their respective offices the said accounts, so returned by the said respective treasurers, and shall also make regular entries of the same in their respective books.

*Sect. 14.* . . . The said respective treasurers, or persons by them respectively appointed, shall be invested with the same powers for collecting publick money, as constables are by the laws now in force invested with.

*3 Geo. 3. chap. 28. sect. 2. \**

. . . Every gaoler shall at the next assizes to be held for the several counties in this kingdom, and at the next quarter-sessions to be held for the county of Dublin and the county of the city of Dublin, after the commencement of this act deliver a table of fees, and the price of lodging, use of a bed, or other charges claimed by him in or on account of his gaol, to the GRAND JURY of the said counties, or counties of cities, or counties of a town; which table shall be by such grand jury examined, altered, and settled, and confirmed by the judge of the assize in the said county, and by three of the justices at the quarter-sessions in the county of Dublin, and by the recorder in the county of the city, according to their discretion, and forthwith posted by such gaoler in the most publick place of his gaol, and likewise in the court and session-houses, and

\* The first section of 22 Geo. 3. c. 42. and the 13th section of 24 G. 3. c. 41. shew that GRAND JURIES are directed to enquire how far all those regulations of this act which concern gaols are complied with.

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in the grand-jury room, at every assizes and sessions; the same to be kept fair, and renewed as often as it may be defaced; upon pain of forfeiting the sum of forty shillings for every such default or neglect in such gaoler; to be recovered by civil bill by such informer as shall first sue for the same.

*Sect. 3.* . . . If any gaoler shall take any other fee or sum, except those allowed and appointed by the said table, the said gaoler shall forfeit the sum of forty shillings, to be recovered by civil bill by the informer.

*Sect. 4.* . . . No gaoler, or any person in trust for him, shall brew or bake in the gaol, or in the houses hereby appointed for the use of the prisoners confined in the said gaol, or shall in any place brew or bake for sale, or keep any shop for the selling of bread, or beer, or ale, or other liquors, under the penalty of 5 POUNDS, for every such offence, to be recovered in the usual manner by civil bill by the person who shall inform of and sue for the same.

*Sect. 5.* . . . The minister or curate shall weekly deliver bread, to be by them or either of them bought upon the best terms that bread is usually sold for in the parish, to such of the said prisoners confined in gaol, as seem to him or them to be in want, and to no other; and that every minister or curate shall from time to time, as he shall see occasion, visit and view the prisoners in gaol; and if any prisoner appears to be afflicted with sickness, and to stand in need of medicines, the said minister or curate is hereby impowered to employ a physician, apothecary, or surgeon, and to pay for such medicines, as shall be by them, or either of them, prescribed and made use of.

*Sect.*



*Sect. 6.* . . . No gaoler, or any person employed by him, shall presume on any account to keep in the said gaols, or the yard or houses adjoining thereto, and provided for the use of such prisoners, any hogs, cows, or other cattle, under the penalty of 40 SHILLINGS for such hog, cow, or other beast kept in the said gaol or prison, or in the yard or houses thereto belonging, for each day such hog, cow, or other beast shall be kept therein; the same to be recovered by civil bill, in the usual manner, by any person who shall inform thereof.

*Sect. 7.* . . . Every GRAND JURY at the assizes or quarter-sessions aforesaid may be enabled, and they are hereby required and directed, to contract either by lease, or to purchase a piece of ground next adjoining the gaol, or as near as conveniently can be had thereto, and cause to be erected necessary houses, and a wall sufficient for the security of the said prisoners.

*Sect. 8.* . . . The said GRAND JURIES at the assizes or quarter-sessions aforesaid, shall be, and they are hereby empowered to raise by presentment, to be confirmed by the judge at such assizes, or by three of the justices in the city of Dublin, and by the recorder of the city of Dublin, in the county of the said city, any sum to be levied off the county at large, not exceeding one hundred pounds, for the purchase of such ground, and building such houses and wall, or any yearly sum for the payment of such rent, not exceeding 10 POUNDS.

*Sect. 9.* And whereas . . . persons of insane mind and outrageous behaviour are committed to prison for assaults or other crimes not capital, which persons go in common with the other prisoners: . . . The GRAND JURIES aforesaid . . .  
are

are hereby required . . to present a sum of money to build a room in addition to the present gaols (where such is not already to be had) fit for the reception of such person or persons, and wherein the gaoler shall be impowered by . . the next justice of p. for the co. wherein such gaol shall lye, to confine any such person, information having first been given to such justice of p. of the insanity or other outrageous behaviour of every such prisoner.

*Sect. 10.* . . . The said GRAND JURIES shall at the said assizes and quarter-sessions, . . be impowered, . . to raise by presentment, . . off the co. at large, any sum not exceeding the sum of 30 POUNDE for building such a room.

*Sect. 11.* . . . Be it enacted, . . . that in all gaols hereafter to be built, there may be distinct apartments for the men and women; and that all gaolers, whose gaols will at present admit of such a distinction, may be obliged to separate and keep apart the different sexes; provided the same may be done without any risque or danger of an escape of any of the said prisoners; of which, if apprehended, the gaoler shall give notice to the next justice of the p.; and if the said justice shall upon visiting the said gaol, see sufficient grounds for such apprehensions, or that the said gaol is insufficient for the purpose aforesaid, he shall, by writing under his hand, give to the said gaoler a certificate thereof; and if any gaoler shall offend contrary to the intent and meaning hereof, he shall for every such offence forfeit the sum of 5 POUNDS to be recovered by civil bill, the penalty to go to the informer.

*Sect. 12.* . . . The said JURIES shall be impowered to raise and levy by presentment, to be confirmed as aforesaid, any sum not exceeding  
one

100 POUNDS, for altering the gaols already built in manner aforesaid.

*Sect. 13.* . . . Be it enacted . . . that at every quarter-sessions held in or for the respective counties, counties of cities, and counties of towns in this kingdom, the gaoler or prison-keeper for every respective gaol or prison for such county, city, or town, shall furnish the justices, who shall preside at such sessions, with a true kalendar of the person or persons actually in his custody; and the said justices may, if they think proper, order the prisoner or prisoners to be brought into the court, provided such sessions are held in the city or town, wherein such gaol or prison shall be kept, and there examine them touching any fraud, severity, or exaction of any such gaoler or prison-keeper; and if any such shall appear upon proof, the said justices shall and may signify the same by writing under their hands to the high sheriff or his deputy, or other person or persons who usually nominate or appoint such gaoler or prison-keeper, who is or are hereby required to nominate and appoint another person to take care of any such gaol or prison in the room of such person, as shall be so objected to by the said justices; and in case any person so usually nominating or appointing any such gaoler or prison-keeper, shall refuse or neglect to act as herein before directed, it shall be lawful for the next going judge of assize in every such county, city, or town, or for the said justices in the county of Dublin, or for the said recorder in the county of the said city, to impose a fine or penalty upon the person so neglecting or refusing, not less than 10 POUNDS; unless it shall appear to such judge, that such removal or new appointment



appointment could not be made without manifest danger to the security of the said gaol.

*Sect. 14.* . . . All and every sum and sums of money, which shall be granted by the GRAND JURY to the minister or curate for bread or other necessaries, as prescribed by the said act of the third year of his late majesty king George the second, and herein before particularly mentioned, shall be accounted for in open court, as by the said act is directed.

*Sect. 15.* . . . The respective GRAND JURIES of the respective counties, counties of cities, and counties of towns, may, if they think proper, give to the minister or to the curate by presentment any sum, not exceeding 10 POUNDS yearly, for more carefully and effectually attending the duty required by this act,

*Sect. 16.* . . . The minister or curate of the parishes, wherein such gaols shall be, shall diligently perform the several duties, required by this act, and by the said recited act of the third year of his late majesty; and for non-performance thereof, shall be liable to such penalties, as are mentioned in the said recited act, to be recovered and disposed of as therein mentioned.

*Sect. 17.* . . . That the said GRAND JURIES shall be empowered to raise and levy by presentment, to be confirmed as aforesaid, any sum not exceeding 10 POUNDS, additional salary for the several gaolers in this kingdom.

*Sect. 18.* And whereas many persons accused of, and guilty of treason and felony, escape the punishment due to such crimes by the poverty of their prosecutors, who actually forfeit their recognizances, rather than undergo the loss of their labour and the unavoidable expence they must be at by attendance at the assizes: be it enacted

acted by the authority aforesaid, that if the judges of assize and general gaol delivery in any of the counties in this kingdom, shall recommend such persons, so attending to prosecute, as proper objects to have an allowance for their time and avocation from their labours, that it shall and may be lawful for the GRAND JURIES of the respective counties to present any sum not exceeding 2 SHILLINGS PER DAY for such persons, as shall be so detained from their labour and business, and necessarily attending to prosecute.

5 Geo. chap. 20. sect. 6.

The GRAND JURY of each of the aforesaid counties shall at the first summer assizes, after each infirmary or hospital shall be fit for the reception of patients, and at every summer assizes after, present a sum not exceeding 100 POUNDS, nor less than fifty pounds, to be raised upon each county at large, and paid to the treasurer of each respective county, to be by him paid over to the treasurer of each respective infirmary or hospital on his drafts or receipts; which drafts or receipts shall be allowed as vouchers to the said respective county treasurers in passing their respective accounts; and which money shall be applied by the governors and governesses of the respective infirmaries or hospitals in providing food, medicines, and other necessaries for the patients, in repairing the respective buildings and the furniture thereof, and in paying the rents of the several infirmaries or hospitals.

\* All the counties of Ireland, except Dublin and Waterford, (see sect. 1.) for which similar provision was made in subsequent acts.

7 Geo. 3. chap. 4. sect. 1.

In every county, in which a certain rent is or shall be payable for the court house, gaol, or offices for keeping the records of such county, the GRAND JURIES of such counties respectively at their assizes shall present yearly such rents to be raised upon their respective counties; and the judges of assize shall have power, if they see fit, to confirm such presentments; and the money, so presented and confirmed as aforesaid, shall be raised and paid to such persons, to whom such rents are or shall be respectively payable, without any deduction whatsoever.

Sect. 2. It shall and may be lawful to and for the GRAND JURIES of the several cities in this kingdom at their respective assizes to present such sums, as they shall think proper for building and maintaining work houses and houses of correction for disorderly persons within their respective cities, or in some convenient place adjoining to the same, as they shall judge necessary for the purpose; and the judges of assize shall have power, if they see fit, to confirm such presentments.

Sect. 3. Provided always, That the sum so presented for building any such work house shall not exceed in the whole the sum of 200 POUNDS, and the sum so presented for maintaining such work house shall not in any one year exceed in the whole the sum of 20 POUNDS,

11 Geo. 3. chap. 9. sect. 1.

. . . A vestry shall and may be held in every parish or union in the province of ULSTER, on the first Tuesday, Wednesday, or Thursday, after



ter the *feast of St. Michael*,\* in every year, . . . and . . . the protestant parishioners of such parish or union, in such vestry assembled, or the major part of them, shall and may present such sum or sums of money to be raised upon such parish or union, as they shall think necessary, nor less than one penny, NOR EXCEEDING 2 PENCE, for each acre ( . . . ) for amending or repairing the roads in or through the said parish or union for the ensuing year; and shall or may chuse overseers to take care that the money so presented shall be properly expended; . . . and also to appoint . . . persons to collect the money so presented; . . . and also to chuse . . . directors of the said roads; and also to chuse . . . applotters for such parish or union; . . . and that all such money as shall be so collected shall be paid to such . . . directors; . . . and that such . . . directors shall, at a vestry to be held on the first Tuesday, Wednesday, or Thursday, after the *feast of St. Michael*,\* in the next succeeding year, account . . . upon oath . . . for all such sum and sums of money as they shall have received or expended as aforesaid.

Sec. 2. Provided always, that no person shall have a right to vote at any such vestry, until he shall have first taken the following oath, (or if a quaker his solemn affirmation) if desired by any parishioner, viz. "I A. B. do swear, (or if a quaker do solemnly affirm) that I am a protestant parishioner of this parish, and that I am worth 20*l*. over and above all the debts I owe."

Sec. 3. In case any parish or union within the said province of Ulster, shall neglect or omit

\* By 14 Geo. 3. c. 32. s. 42. the words, (*of September*) are substituted for the words, (*feast of St. Michael*.)

to hold such vestry, and make such presentment . . . ; during such year or years, as the said parish or union shall omit . . . to hold such vestry, and make such presentment . . . the several acts of parliament which were repealed by 5 G. 3. c. 14. and by virtue whereof the six days labour were . . . applied to the making and repairing of the roads of this kingdom, shall, in all such articles and clauses thereof, or any way related to the said six days labour, be in full force within said parish or union . . . any thing in the said 5 G. 3. c. 14. . . notwithstanding.

*N. B. This act, (though not mentioning GRAND JURIES) is inserted in this collection, because throughout that province in which it is in force, it concerns grand juries to enquire at every spring assizes how it has been executed.*

12 Geo. 3. chap. 20. sect. 1.

Whereas there are in several parts of this kingdom extensive tracts of land of a mountainous nature, and in a rude uncultivated state, and it would greatly contribute to the improvement thereof, if roads were made through the same; and yet from the nature of the country it would be in some cases impracticable, and from the poverty of the few inhabitants therein it would generally be inexpedient and unnecessary, to be at the expence of making such wide roads therein, as are proper in other places differently circumstanced: . . . it shall and may be lawful for the GRAND JURIES of any county at the assizes to present such sum or sums of money, as they shall think fit, to be raised upon any barony or half barony in such county for the making of new or repairing of old roads through  
any

any mountainous unimproved parts of such barony or half barony of such a breadth, with stones or gravel, and of such breadth between the ditches, drains, or fences, as to the grand juries of each respective county, in which such lands lie, shall seem suitable to the nature of the place, through which such road shall run, and as shall be ascertained in the presentment for that purpose; as also for the wages of the overseer or overseers of every such road, not exceeding 3 PENCE for each perch so to be by him made or repaired according to this act; any thing to the contrary thereof in any former law or statute in any manner notwithstanding.

*Sect. 2.* Provided, that no money shall be so presented for the making or repairing of any such road, unless an affidavit shall be previously made by two credible persons, who can read and write, before one of the judges of assize, or before two justices of the peace for the said county, who are hereby empowered to administer the same in the following form:

County of } A. B.                      of                      and C. D.  
                   }                      do swear, that they have  
 lately viewed and measured                      perches of  
 a road from                      to                      between  
                   and                      all in the barony of  
                   in said county, and that it will require  
 the sum of                      to make and repair the said  
                   perches of road  
 wide in the clear, and                      feet wide, at  
 the least, with stones or gravel, being at the rate of  
                   by the perch, which, they verily be-  
 lieve, is the least the said                      perches  
 can be sufficiently so made and repaired for, and that  
 the said road is in a mountainous unimproved part  
                   of



of said barony, \* where such road is much wanting, and where the expence of making a wider road would be an unnecessary charge on said barony;

which affidavit the clerk of the crown of such county is hereby required to file and keep amongst the records of such county; and that no money shall be paid on account of any such presentment by the treasurer of any county, until the affidavit of one of the overseers, appointed by the GRAND JURY, sworn before one of the judges of assize, and in the following form, shall be allowed of by the grand jury and by the judges of assize:

County of } Whereas the sum of \_\_\_\_\_ was  
 } presented by the grand jury of said county,  
 at \_\_\_\_\_ assizes, in the year \_\_\_\_\_  
 to be expended in making and repairing  
 perches of the mountain road, from \_\_\_\_\_ to  
 between \_\_\_\_\_ and \_\_\_\_\_ feet  
 wide in the clear, and \_\_\_\_\_ feet wide at the least,  
 with stones or gravel, being at the rate of \_\_\_\_\_  
 by the perch. Now I A. B. one of the  
 overseers appointed by the grand jury do swear, that I  
 have honestly and faithfully expended, or caused to be  
 expended, the sum of \_\_\_\_\_ in making  
 and repairing \_\_\_\_\_ perches of the said road,  
 and that the said \_\_\_\_\_ perches, and every part  
 of the same, are made \_\_\_\_\_ feet wide at the  
 least, with stones or gravel, and are \_\_\_\_\_  
 feet wide in the clear within the ditches, drains, or  
 fences; and that the said sum with my wages at \_\_\_\_\_  
 per perch amounts to \_\_\_\_\_

\* By 24 G. 3. c. 42, s. 16, 17. there are fifteen counties where other words are prescribed instead of the eight foregoing ones.

*Sect. 3.* Provided also, that no sum or sums shall be presented or levied upon any barony or county for making any fence or fences by the side of such mountain roads as aforesaid.

*Sect. 4.* And provided also, that this act shall not extend to any county of a city or county of a town.

12 Geo. 3. chap. 27. sect. 1.

... Every popish priest who hath heretofore conformed to the protestant religion, or who at any time hereafter during the continuance of this act shall conform to the protestant religion, and shall be approved of as a convert, and received into the church of Ireland as by law established, by the archbishop or bishop of the diocese wherein such popish priest resides at the time of his conformity, and shall perform the several other requisites prescribed in and by that part of the said herein before recited act, \* such popish priest shall have and receive the sum of 40 POUNDS yearly and every year, and no more, by virtue of this or any former act as and for his maintenance, and until he shall be otherwise provided for by some ecclesiastical benefice or preferment of the like or greater yearly value: subject nevertheless to suspension or deprivation by the archbishop or bishop of the diocese, wherein he shall dwell or reside, in like manner as the inferior clergy of this kingdom are subject to.

*N. B.* The provision by said act was only 30l. per annum, and granted for seven years, from September 1709, . . . that clause was revived by 31 G. 2. c. 9. s. 1. for eleven years, and

\* 8 Anne, c. 3. s. 18.

*till end of then next session; and was again revived by this act, and continued in 1780 for seven years, and till the end of the then next session; and by 28 G. 3. revived and continued to the 24th June 1790, and to the end of the then next session.*

*Sect. 2. . . .* The said sum of 40l. so intended for the maintenance of such popish priest converted as aforesaid, shall be levied on the inhabitants of such county, or counties of cities or towns, where such converted priest or priests did reside at the time of his or their conformity, in like manner as money charged by GRAND JURIES on said counties, counties of cities or towns, is levied; the said yearly sum of 40 POUNDS to be paid to such converted priest or priests moiety, (that is to say) one moiety on the feast of the annunciation of the blessed virgin Mary, and the other moiety on the feast of saint Michael the archangel in every year.

*Sect. 3. . .* Every such popish priest or priests, so converted to the protestant religion as aforesaid, shall, and he or they are hereby required under the penalty of forfeiting his or their allowance or allowances as aforesaid, publicly to read once in every week the common prayer or liturgy of the church of Ireland as by law established, and preach in the English tongue in such places, and at such times, as the said archbishop or bishop shall direct and appoint.

*Sect. 4.* Provided always, that no curacy shall be deemed an ecclesiastical benefice or preferment within the intent or meaning of this act, unless the salary, allocated for the maintenance of the officiating curate in such curacy, shall exceed the sum of 40 POUNDS by the year.



## 12 Geo. 3. chap. 30. sect. 9.

. . . In order to create some revenues for the said corporations \* at the outset that the GRAND JURIES of every county, county of a city, and county of a town in this kingdom respectively for ever may and they are hereby authorized and required at every spring assizes, to be held in the said counties respectively, after the twelfth day of February in the year of our Lord 1773, to present in every county of a city or town, to be raised by presentment from off the lands and houses in that county equally and rateably, before the first day of November then next following any sum not less than 100 POUNDS, nor more than 200 POUNDS, and from off the lands and houses of every county at large as aforesaid any sum not less than 200 POUNDS, nor more than 400 POUNDS, to be paid to the corporations of the said counties respectively, or to their treasurers respectively, without any fee or deduction whatsoever, for the charitable purposes aforesaid, and to be assessed and collected as other county taxes are; and for the said tax hereby imposed the collectors thereof are hereby required to give to those, who pay it, receipts separate and distinct from those given for other taxes.

## 14 Geo. 3. chap. 18. sect. 1.

. . . Every treasurer of any county in this kingdom shall at every assizes held for the county whereof he is treasurer, . . . lay before the

\* Those corporations are described in second section of this act, under the title of " the president and assistants of the corporation instituted in the county of                      for the relief of the poor, and for punishing vagabonds and sturdy beggars."

GRAND JURY of such county, a full, true, and clear state of his accounts, and of all money received and paid by him as treasurer, distinguishing the respective times of such receipts and payments, drawn in the way of debtor and creditor, and shall therein debit himself with such sum or sums of money, as shall have been the balance settled upon the last stating of the accounts, or shall have been handed over to him as the balance by the last treasurer; and also with all arrears due by any collector, receiver, or other person; and with the amount of all such sums of money as shall have been presented to be raised at the preceding assizes. . . . specifying the several purposes for which the same was presented, the several persons to whom the same is payable, and separately stating the sums to be raised upon each barony or half barony by name, and upon the county at large; and further with all fines that may be due for the use of said county; and all sums, if any, which he may have received as treasurer, exclusive of such arrears, presentments of the last assizes, . . . and fines; and that he shall in the said account take credit for all money actually paid by him since the last account, specifying the sums paid, the times of paying the same, the persons to whom, and on what account the same were paid, and whether for the county at large, or for what barony or half barony, and also for all arrears and fines that shall remain unpaid to him, and for all such part of the sums presented at the preceding assizes as shall not have been paid to him, distinguishing by whom due, and on what account, and finally shall state the balance upon the whole; and at the foot thereof shall make an affidavit sworn before one of the judges of assize, . . . that

that the above account is a full and fair account, and that every article therein stated is true to the best of his knowledge and belief; which account and affidavit shall be lodged with the clerk of the crown attending said assizes, . . . to be by him kept among the records of the county; and the said clerk of the crown is hereby required to enter a copy of the said account in a book to be by him kept for that purpose among the records of the county; and he shall at the foot thereof enter the gross amount of the queries on the query book for said assizes, . . . in order that the same may be compared with the said account; and that every grand jury may from time to time as often as they shall think proper during the assizes, . . . examine their county treasurer, or any other person or persons upon oath, to be administered in open court by the judge of assize, . . . touching any voucher or other matter or thing relative to any part of said accounts; and may enter in the book wherein the treasurer's accounts are entered such observations thereon, or on the said account, as they shall think proper.

*Sec. 2.* . . Every treasurer shall keep an office open from the hour of NINE in the morning till THREE in the afternoon in the town where the assizes were last held, . . . every day for the space of EIGHT days next after each assizes, . . . Sundays only excepted, for the purpose of paying all persons who shall be entitled to receive any publick money from him; and if any treasurer shall omit to keep such open office during the time and hours aforesaid, or shall wilfully and unnecessarily delay to pay any demand, which as treasurer he is required to pay, or shall accept, demand, or receive any money matter, or other thing by way of premium, discount, or reward  
for



for paying any money as treasurer, or make any deduction whatsoever in paying the same, or shall neglect to state said account in manner and form herein prescribed, or neglect or refuse to make the affidavit herein required at the foot thereof, and to lay the same before the GRAND JURY, or shall have knowingly made any false or unfair entry in said accounts, or shall refuse to be examined upon oath, and to answer all such questions as may be asked of him by the grand jury touching his accounts, or shall erase, alter, obliterate, efface, suppress, or destroy any paper account, affidavit, or book, which shall by any law now in force, or hereafter to be enacted, be ordered to be kept by him as treasurer, or shall refuse to pay any person legally entitled to receive publick money from him, provided he shall have money applicable to such person in his hand, or shall be guilty of any unfair practice or misbehaviour in the execution of his office, he shall upon conviction by indictment or presentment be fined in any sum not exceeding 20 POUNDS, and be dismissed from his office of treasurer, and be declared incapable of being ever again elected or serving as treasurer; and an entry of such his dismissal shall be made in the crown book, and also in the book of entry of his accounts kept by the clerk of the crown.

*Sect. 3. and 4. On every vacancy of treasurer'ship, seven justices of that county, (each having therein a freehold estate of clear yearly value of 100l. and not being a candidate for said office) shall by majority elect a treasurer.*

*Sect. 5. . . No person who shall . . hereafter be elected treasurer, shall be capable of serving . . unless he shall immediately after his election in open court enter into a recognizance . . in the*

the sum of 10,000l.\* if for . . . the county of Dublin, 5000l. if for counties of Cork or Meath, 4000l. if for Kerry, 3500l. if for Wexford or Derry, 3000l. if for the counties of Antrim, Armagh, Cavan, Down, Galway, Kildare, Mayo, Sligo, or Westmeath, 2500l. if for county of Donegal, Kilkenny, Limerick or Tipperary, 2000l. if for the counties of Carlow, King's-County, Lowth, Monaghan, Queen's-County, Roscommon, Tyrone, or Wicklow, 1500l. if for Clare or Fermanagh, and 1000l. if for counties of Leitrim, Longford, or Waterford, and shall procure two sufficient sureties at the same time to enter into a recognizance in like manner, each in a sum equal to one half of the sum in which such treasurer shall bind himself; the condition of which recognizance shall be, that such treasurer shall justly and truly account in manner and form and at the times by this act required, or to be required by any law that hereafter may be made relating to the same, that he shall at all times justly and truly pay and account for all money which he shall have received as treasurer; and that he shall duly and faithfully discharge the duties of his office in every respect; and that he, his heirs, executors, or administrators, shall and will upon his death, resignation, removal, or dismissal, deliver to his successor in office all books, papers, affidavits, and accounts, deposited with or kept by him as treasurer, and pay and hand over to said successor such balance of money, as shall appear to be in his hands, or shall be due by him: and further, unless each of such sureties shall at the foot of their recognizance make affidavit respectively before the senior, or any justice present, who is hereby empowered

\* This sum was reduced to 2000l. by 26 G. 3. c. 14.

to take the same, that he is really and *bona fide* worth the sum mentioned in his said recognizance over and above all his just debts, and exclusive of any property of which he is tenant for life only; and that in default thereof such election shall be null and void; and the said justices shall on the next day . . . proceed in like manner to elect another treasurer who shall perform the like requisites, and in case of like failure, shall proceed in like manner until a new treasurer shall be elected, and who shall perform the aforesaid requisites; and every recognizance taken as aforesaid shall be delivered by the chairman of the electing justices to the clerk of the peace, (who is required to attend every such assembly of election) to be by him deposited and duly entered in his majesty's court of exchequer, as soon after as he conveniently can enter the same.

*Sect. 6. Requires the judge of assize to dismiss every treasurer who shall not at summer assizes 1774 enter into a recognizance for such sum as together with his former recognizance shall amount to the respective sum herein required, and shall not also procure two sureties to enter each into a recognizance equal to one half of the sum in which said treasurer shall then bind himself.*

*Sect. 7. . . The judge of assize (or K. B. if in the county of Dublin) shall and may at every assizes, (or term) if required by the GRAND JURY, examine the treasurer, or any other person or persons, in open court upon oath, touching the existence and property of his sureties; and if he shall find any reason to apprehend that either or both of his sureties are dead or insufficient, he shall require him to procure another surety or sureties in his or their room, and if such treasurer shall refuse to be examined, or*  
to



to answer upon oath, or to procure other sureties, who shall enter into recognizance, and make the affidavit by this act required, he shall dismiss such treasurer from his office, . . .

*Sect. 8.* Be it enacted . . . that no person, being treasurer of any county shall during his continuance in said office be capable of being clerk of the crown or peace, or shall exercise the office of a justice of peace therein, or be on a GRAND JURY for such county; and that every recognizance to be taken at the assizes or term, if in the county of Dublin, by virtue of this act, shall within three months after such assizes or term be deposited and duly entered by the clerk of the crown in his majesty's court of exchequer; . . . and that such process may issue thereon, and on every other recognizance to be entered in said court by virtue of this act, as is usual in cases of recognizances entered into in said court.

*Sect. 9.* Provided always, that all money which at any time shall be recovered on any of the said recognizances shall be paid to the treasurer of the county for the time being, for whose use such recognizance was entered into, and be accounted for by him in his next accounts.

*Sect. 10.* . . Upon the removal or dismissal of any treasurer of a county such person as the GRAND JURY shall appoint, which appointment every grand-jury is . . . empowered to make, and in failure of such appointment then one of the knights of the shire for such county, shall, until a new treasurer is elected and enters into office, be the treasurer, and be deemed the successor in office to the person dismissed for the purposes of receiving from such person so dismissed all the balance of money that shall be in his hands, and the

the books, papers, affidavits, and accounts, deposited with, or kept by him as treasurer; and also for the purpose of receiving from the several collectors or other persons such money as they would have been obliged to pay to said treasurer, had he continued in office, and for no other purpose whatsoever: all which balances, books, papers, affidavits, accounts, and money, such person is required to receive and detain, until a new treasurer shall be elected and enter into office, to whom he shall hand over and deliver the same.

*Sect. 11.* . . . The several accounts, which have been or shall be as aforesaid laid before the GRAND JURY, and sworn to by the treasurer, shall in all . . . suits . . . against the treasurer, or his sureties, . . . be allowed . . . as evidence . . .

*Sect. 12.* . . . It shall be lawful for the GRAND JURY of every county at the assizes, to present to be raised upon the county at large, and paid to the treasurer such sum or sums of money, as shall not in the whole exceed in the year the sum of 100*l.* in the counties of Cork and Dublin\*; of 60*l.* in . . . Meath and Kilkenny; of 70*l.* in . . . Galway; of 40*l.* in the counties of Antrim, Armagh, Clare, Derry, Donegal, Fermanagh, Kerry, Mayo, Roscommon, Tipperary, Waterford, and Wicklow; of 30*l.* in . . . Carlow, Cavan, Kildare, King's County, Leitrim, Limerick, Lowth, Monaghan, Tyrone, Westmeath, and Wexford; of 25*l.* in . . . Sligo; and of 20*l.* in . . . Down, Longford, and Queen's County.

*Sect. 14.* . . . Every clerk of the crown shall WITHOUT FEE OR REWARD at each assizes (or

\* This power was by 26 G. 3. c. 14. enlarged to 200*l.* for county Dublin.

term, if in the county of Dublin) \* enter a copy of the treasurer's account in manner herein directed, and shall also without fee or reward immediately after the query book shall be ruled by the judge of assize, (or court of king's bench, if in the county of Dublin) give to the treasurer a full and perfect copy of all queries discharged at said assizes (or term) signed by himself or his deputy; and shall within four days after each assizes (or issuable term) give to the treasurer a copy of all the presentments made and allowed at said assizes (or term) for the raising or paying of money signed likewise by himself or his deputy; and in case he shall neglect to give the same, or either of them, at the times aforesaid, or to enter the said account, or the gross amount of the queries on the query book for said assizes (or term) at the foot thereof, and proof of any such neglect shall be made to the satisfaction of the judge of assize (or of the court of king's-bench, if in the county of Dublin) he shall be fined in any sum not exceeding 5 POUNDS, and be suspended from his office until he shall pay the same. And every clerk of the crown shall within two months after each assizes, (or term, if in the county of Dublin) make up the queries for the succeeding assizes (or term) when he shall make affidavit in writing before one of the judges of assize (or judge of the king's-bench, if in the county of Dublin) that he has entered a full, true, and exact query in the query book upon every presentment for raising or paying money, and every fine whatever which has not been accounted for or discharged, which affidavit shall

\* By 26 Geo. 3. c. 14. some alterations are prescribed with respect to the county of Dublin.



be delivered to the clerk of the peace, to be by him kept and preserved; and if he shall omit to carry forward every query which shall not have been discharged, together with such order as shall have been made by the court thereupon, or shall neglect or omit to enter a full, true, and exact query upon every one presentment made at the last assizes (or term, if in the county of Dublin) for raising and paying money, and likewise to frame a query in the query book upon every fine imposed, wherein the county is entitled to any share, specifying how much thereof the county is entitled unto, and from time to time to carry forward the same, unless discharged, or shall efface, obliterate, tear, alter, destroy, or suppress any record of the county, or shall refuse to make such affidavit as aforesaid, he shall, if convicted thereof by indictment or presentment, be fined in any sum not exceeding 100 POUNDS, and be dismissed from his office of clerk of the crown; any law, grant, or custom, to the contrary notwithstanding, and be incapable of ever after serving in said office.

*Sect. 15.* . . . All fines whatsoever, which shall be imposed . . . in consequence of this act, and not otherwise herein disposed of, shall, when levied, be paid to the treasurer of the county in which the same shall be imposed, to be by him accounted for to the said county; and . . . the clerk of the crown shall \* find and keep among the records of the county all affidavits made in pursuance of or by virtue of this act, except such as are directed by the same to be otherwise disposed of; and . . . it shall be lawful for the GRAND JURY, and they are hereby required, at the assizes (or term, if in the county of Dublin)

next

next after any recognizance shall be entered in the court of exchequer, under the direction of this act, to present such sum of money, as shall appear upon oath to have been necessarily expended in the entering of the same, to be raised upon the county at large, and paid to the person who shall have expended the same. . . .

14 Geo. 3. chap. 26. sect. 1.

The treasurers of the turnpike roads in this kingdom respectively, \* shall on or before the 1<sup>st</sup> of October 1774, depolite with the clerks of the peace of the counties respectively, through which the turnpike roads of this kingdom, or any parts thereof, are carried, full, true, and fair copies of all contracts made with the commissioners of the said turnpike roads respectively, for making and repairing the said roads respectively, or any bridges on them, and all the orders made by the commissioners of the turnpike roads of this kingdom respectively for any purpose or purposes whatsoever, any ways relative to the said turnpike roads respectively, down to the said 1<sup>st</sup> October 1774; and all such contracts and orders as aforesaid, to be made after that day, within one calendar month after the making the same, and after the 1<sup>st</sup> October 1774, yearly and every year on every 1<sup>st</sup> October, the full annual produce of the toll of the turnpike roads of this kingdom respectively, and the expences of collecting the same.

\* The 18 G. 3. c. 23. exempts all the turnpike roads from Dublin by Dunleer, Dundalk, and Newry, to Banbridge, and from Dublin to Kinead and Mullingar, and their trustees, treasurers, clerks, &c. clerks of the peace, and treasurers of counties, in respect of said roads, from the regulations of 14 G. 3. c. 26.

*Sect. 2.* . . . And the clerks of the peace are hereby required to preserve all the said papers and writings to be so deposited with them carefully in their offices respectively, and to suffer them at all seasonable and convenient hours to be inspected during the time of the assizes and quarter sessions of the counties of this kingdom respectively by every literate person who shall desire it, which the judges of assize and the justices of the quarter-sessions respectively are hereby authorized and required upon complaint to enforce a due compliance with, and to order in all cases of neglect those offences to be proceeded against as for a failure in the performance of the duties of their offices respectively.

*Sect. 3.* . . . No turnpike commissioner shall sign any order for paying, nor shall any treasurer of any turnpike board, pay any sum to any person whatsoever for making or repairing any turnpike road, or any part of any turnpike road, or for making or repairing any bridge or any turnpike road in this kingdom, till the person so applying shall first produce to such commissioners and treasurers, or other person or persons receiving the tolls as aforesaid respectively, \* on affidavit sworn by the person or persons, who have or hath been principally employed in making or repairing such road or bridge, before two justices of the peace for the county where the road or bridge, in respect of which the application shall be made, shall be of the following tenor, *viz.* [*here follows the affidavit*] which duplicates the clerks of the peace of the counties of this kingdom respectively are hereby required to keep and preserve diligently amongst the records of that county, and to suffer them to be read and inspected by every literate person who shall  
desire



desire it, during the assizes and quarter-sessions to be held for the county, on pain of such censure and punishment as publick officers neglecting the duties of their office are by law subject to; and the judges of assize and justices of the peace at the quarter-sessions are hereby authorized and required in case of neglect or failure herein to order those offences to be proceeded against accordingly.

*Sect. 8.* . . . It shall and may be lawful to and for the GRAND JURIES of the counties in this kingdom respectively, at the summer assizes to present any sum not exceeding 3 POUNDS a year to the clerk of the peace of each county, for doing the duties herein required, to be levied as other county taxes, if it shall appear to them, that those duties have been faithfully performed, but not otherwise; \* which presentments may be traversed and tried in the ordinary course.

*Sect. 9.* . . . The treasurer of every turnpike road in this kingdom, or other person or persons receiving the tolls, or any part of the tolls of any turnpike road in this kingdom, from the collectors or collector of these tolls, shall on or before the 1<sup>st</sup>. October 1774, draw up an account of the tolls received by such person or persons from the time of the last account stated by such person or persons, his or their predecessor or predecessors, with the turnpike board of that road, and state fully and particularly how the tolls so received from the time of such last account have been applied, paid, or disposed of, and to whom, and shall sign such account in the

\* Grand Jurors therefore are not qualified to dispose of this presentment without knowing the duties which this statute requires from the clerk of the peace.

presence of two or more literate persons, who shall subscribe the same as witnesses, and shall deposit the same with the clerk of the peace of those countries respectively, through which such turnpike road doth run, on or before the 1<sup>st</sup> October 1774; and every such treasurer or other person shall yearly, and every year hereafter, draw up and lodge an account, such as herein before is directed in all respects, with the same clerks of the peace respectively, on pain of forfeiting 20 POUNDS for every calendar month during which such person . . . shall neglect or fail to comply with the said last mentioned duties hereby enjoined: and if in such accounts, or any of them, any wilful overcharge shall be made, or wilful error committed, every person guilty of such overcharge or error, shall for every such offence forfeit a sum equal to the amount of the sum twice told or reckoned, that the publick shall be attempted to be defrauded of by such wilful overcharge or error; which said penalties herein last specified shall be sued for, levied, and distributed in all respects, as the other penalties herein before specified are directed to be; and the clerks of the peace of the respective counties of this kingdom respectively are hereby required to preserve all such accounts, and to permit the same to be inspected in all respects, as the other papers herein before directed to be preserved and inspected are directed to be; and in this last particular the clerks of the peace of this kingdom respectively are to be under the same controul as in the other instances herein before mentioned.

14 Geo. 3. chap. 32. sect. 2.

. . . It shall be lawful for the GRAND JURY of any county, at any assizes held for such county,  
to

to present any publick road in such county, or any part thereof, to be repaired, or any part of any publick road, which is not of the breadth of twenty-one feet in the clear, to be widened to any breadth not exceeding thirty-one feet, nor less than twenty-one feet in the clear; and also to present any new road to be laid out and made from market town to market town, or from any market town to the sea, through any part of such county, except through the deer park of any person, or through any field inclosed with a wall five feet high at least, with lime and stones or bricks, or through the house, offices, gardens, or orchards of six years growth of any person who inhabits a house built with lime and stones or bricks; and to appoint one or more persons, who can read and write, to oversee and carry into execution every such presentment; and further to present all such sum or sums of money, as shall appear necessary, to be raised upon any barony or half barony, for which a high constable has been usually appointed in such county, to be expended in repairing, widening, or making any publick road in such barony or half barony as aforesaid, which half barony shall be considered and charged as a barony, and in paying wages to the overseer appointed as aforesaid, after a rate not exceeding the rate of 1 SHILLING in the pound for each pound presented to be expended by such overseer.

Sect. 3. . . Provided always, that no sum of money shall be so presented for the repairing of any road, unless an affidavit sworn by two credible persons, who can read and write, before one of the judges of assize, or before any two justices



justices of the p. for such co. in the following form, be first laid before the GRAND JURY.

County of } of shire of and of  
do swear, that they have lately measured perches of the road from between and all in the barony or half-barony of in this county, and that it will require the sum of effectively to repair the said perches with gravel or small stones, being at the rate of by the perch, which they verily believe is the least the said perches can be effectually repaired for.

Sect. 4. And provided always, that no part of the money so presented, shall be paid on account of any presentment for the repair of any road, by the treasurer of any county, until the affidavit of one of the overseers, who can read and write, appointed by the GRAND JURY, sworn before one of the judges of assize in the following form, shall be allowed by the grand jury and by the judge of assize.

County of } Whereas the sum of was presented at assizes in the year for said co. to be expended in repairing perches of the road from to between and in the barony or half barony of at the rate of by the perch, and the sum of for overseers wages, at pence for each pound. Now I do swear, that I have expended faithfully and honestly the sum of in repairing effectually with gravel or small stones perches of the said road, which sum, with my wages, at pence for each pound, makes, in the whole, the sum of and that

that every part of said *perches* is twenty-one feet wide in the clear within the ditches, drains, or fences, and is fourteen feet wide with gravel or small stones, except where the road presented to be repaired is enclosed on both sides with walls built with lime and stones, or bricks, and is not twenty-one feet wide between the same; in which case, instead of the words [twenty-one feet wide in the clear within the ditches, drains, or fences] shall be inserted these words [enclosed on both sides with walls built with lime and stones, or bricks, five feet high.

SECT. 5. And provided also, that no money shall be so presented for the widening of any publick road, unless an affidavit, sworn by two credible persons who can read and write, before one of the judges of assize, or two justices of the p. for such co. in the form following, be first laid before the GRAND JURY.

County of } of and of  
do swear, that they have lately  
measured perches of the road from  
to between and all in the  
barony or half-barony of in the said county,  
and that no part of said perches is twenty-  
one feet wide in the clear of ditches, drains, or  
fences, or enclosed on both sides with walls built with  
lime and stones, or bricks, five feet high, and that  
it will require the sum of to widen the said  
perches to the breadth of in the  
clear, and to make fences instead of those which shall  
be taken down or destroyed, in order to widen the  
same, being at the rate of by the perch;  
and that said sum is a reasonable charge, and is the  
least, they verily believe, that said work can be effec-  
tually done for.

And that no money shall be paid by the treasurer of any co. on account of such presentment, unless an affidavit of one of the overseers sworn before the judge of assize in the form following, shall be allowed by the GRAND JURY and the judge of assize.

County of } Whereas the sum of                      was pre-  
                   } sented by the GRAND JURY of said  
 county at                      assizes, in the year                      to be  
 expended in widening                      perches of the road  
 from                      to                      between                      and  
                                          all in the barony or half-barony of  
                                          in said county, and the sum of                      for  
 overseers wages, at                      pence for each pound:  
 Now I                      of                      do swear, that I have  
 faithfully and honestly expended the sum of  
 in widening                      perches of said road; which sum,  
 with my wages, at                      pence for each pound,  
 makes in the whole the sum of                      and that every  
 part thereof is now                      feet wide in the clear,  
 of ditches, drains, or fences, and that new fences  
 are made instead of those that have been taken down  
 or destroyed in order to widen the same.

See 24 G. 3. c. 42. s. 1.

SECT. 6. Provided always, that if any part of any publick road be the boundary between any two baronies in such co. or between any barony or half-barony in such co. and a barony or half-barony in any adjoining co. so as that one side of such road is in one barony or half-barony, and the other side in another, it shall not be lawful for any GRAND JURY to present more than half of the sum that shall appear necessary for repairing or widening such road, and half the overseers wages to be raised on either of the baronies



ronies or half-baronies between which such part of said road is the boundary; and that in the affidavit to be made before the money can be presented for repairing or widening such road, and also in the affidavit to be made by the overseer before the said money can be paid, instead of the words (*all in the barony of* ) shall be inserted these words (*which said perches are the mearing between the baronies of and in said county, or between the barony or half-barony of in said county, and the barony of in the county of* ) as the case shall happen to be; and that no money shall be paid by the treasurer of any co. on account of such presentment, unless it shall also appear to the judge of assize, and to the grand jury, that an equal sum hath been presented to be raised for said work on the adjoining barony.

*Sect. 7.* And be it further enacted by the authority aforesaid, that it shall and may be lawful for the GRAND JURY of any co. at any assizes held for such co. to present such sum or sums of money as shall appear to them necessary to lay out, and make any new road through such co. or any part thereof, from market-town to market-town, or from any market-town directly to the sea; or to make fences thereto not exceeding the rate of 1 SHILLING for each perch of such fence, to be raised either upon such co. and expended in laying out and making such new road, or in making fences and paying wages to the overseers, after a rate not exceeding the rate of 1 SHILLING in the pound for each pound presented to be expended by such overseer, or upon any barony in such co. and expended in laying out and making any part of such new road or fences within such barony, and in paying wages to the overseer after the rate aforesaid.

*Sect.*

*Sec. 8.* Provided always, that in every presentment made for the laying out of any new road, the name of the person requesting the same be inserted; and that no such presentment shall be made, unless it shall first appear by affidavit sworn before any two justices of the p. for such co. that a map of such new road has been deposited with the treasurer of such co. twenty-one days at least before the first day of such assizes, in order to be inspected by all persons whom it may concern, (which map is to be kept by the clerk of the crown among the records of the co.) and that either the several owners or occupiers of the lands through which such new road is to be made have consented thereto, or else that no part of such intended new road is to be made have consented thereto, or else that no part of such intended new road is to be made through the deer-park of any person, or through any field enclosed with a wall five feet high at least, built with lime and stones or bricks, or through the house, offices, gardens, or orchards, of six years growth, of any person who inhabits a house built with lime and stones or bricks, without the consent of the owner thereof; and that a notice setting forth *that an application is intended to be made at the next assizes for a presentment to lay out a new road from* <sup>so</sup>

(distinguishing the several lands and baronies or barony through which the same is to be made in such co. and the number of perches it is to be made through each town land) has been personally served upon or left at the house of each occupier of the land through which the same is to be made in such co. twenty-one days at least previous to the first day of such assizes, and that another such notice has been posted upon the door of

of the co. court-house, seven days at least previous to the first day of such assizes.

*Sect. 9.* Provided also, that no money shall be presented for the making of any new road, unless an affidavit sworn by two credible persons who can read and write, before one of the judges of assize, or before any two justices of the p. for such co. in the form following, be first laid before the GRAND JURY:

County of ) of do swear, that it will require the sum of to make perches of the new road lately laid out from to between and all in the barony of in the said county, thirty feet wide in the clear at the least, and fourteen feet wide at the least, with gravel or small stones, being at the rate of by the perch, which they verily believe is the least the said perches can be effectually made for; and that no part of the money so presented shall be paid on account of such presentment by the treasurer of any county, until the affidavit of one of the overseers who can read and write, appointed by the GRAND JURY sworn before one of the judges of assize in the following form, shall be allowed by the grand jury and by the judge of assize.

County of ) Whereas the sum of was presented at assizes in the year for said county, to be expended in making perches of the new road from to between and all in the barony of at the rate of by the perch, and the sum of for overseer's wages, at pence for each pound: Now I of do swear, that



I have expended, faithfully and honestly, the sum of  
in making the said perches of the said new  
road, and that the said perches are thirty  
feet wide at the least in the clear, within the ditches,  
drains or fences, and were effectually made fourteen  
feet wide at the least, with gravel or small stones, be-  
tween the twenty-fifth day of March, and the twenty-  
fifth day of August, in the year 1811, which sum,  
with my wages at pence for each pound, makes  
in the whole the sum of and that no money  
shall be paid by the treasurer of any county on  
account of any presentment for fences, unless it  
shall appear to the grand jury by the affidavit of  
one of the overseers sworn before the judge of  
assize, that the number of perches of fences  
presented to be made, has been made pursuant  
to said presentment; and unless the said af-  
fidavit be allowed by the grand jury and judge of  
assize.

See 24 G. 3. c. 42. s. 1.

Sect. 2. . . . If any person shall think himself  
or herself aggrieved by any presentment for mak-  
ing any new road, such person may traverse the  
same at the same assizes in which such present-  
ment shall be made, and such traverse may be tried  
at the said assizes, and if not then tried shall be  
tried at the assizes next ensuing, unless good  
cause be shewn to the contrary; and the jury  
who shall try the traverse shall true verdict give,  
whether any and what damages will accrue there-  
by to such person, which verdict shall be conclu-  
sive to such person; and upon the sum so found  
for damages being paid to him or her, or depo-  
sited with the treasurer, for his or her use, it  
shall be lawful for the overseer to proceed and  
lay out, or make such new road pursuant to the  
presentment without the interruption of such  
person;

person; and it shall be lawful for the GRAND JURY to present at their discretion the sum so found for damages, to be raised upon the co. or upon the barony or baronies through which the said road shall be made, in proportion to the length it shall be made through each barony; and that the grand jury of any county may also present any old road, or any part thereof, to be stopped up, where any new road to answer the purposes of the old one hath been, or shall be made, except such old roads concerning which suits are now depending either in law or equity.

*Sec. 11.* Provided always, that it shall be lawful for any person who shall think himself or herself aggrieved by such presentment for stopping up any old road, to traverse such presentment at the same, or at the next assizes after such presentment shall be made; and such traverse shall be tried by a jury; and in case such presentment shall not be traversed, or if traversed, a verdict shall be found for the presentment, such presentment shall be confirmed.

*Sec. 12.* The vestries of the several parishes in the several cities in this kingdom (except the cities of Dublin and Cork) and that the vestries of the several parishes in the several corporate or borough towns in this kingdom, and in the market-town of Lurgan in the co. Armagh, may and are hereby empowered, if they think fit, to present such sum or sums of money as they shall think necessary to be raised upon the inhabitants of such parishes respectively, living within the bounds of such cities and towns for the paving, gravelling, and cleansing, the several streets or lanes through such part of every such parish as is in such cities and towns or for lamps to enlighten the streets or lanes in such cities and towns;

towns; and also to appoint proper persons to applot and levy the sum or sums so presented by the said vestry, and to allow the said persons any sum not exceeding 12 PENCE for each pound so applotted and levied, for their trouble in applotting and levying the same, and to appoint proper persons to be directors or overseers for the expenditure of the money so presented, who shall be obliged to account upon oath to the vestry of such parish for the same, and to allow the said persons any sum not exceeding 2 SHILLINGS for each day every such director or overseer shall be necessarily employed in directing or overseeing such work.

*Sect. 13.* Provided that no person shall have a right to vote at any such vestry until he shall have first taken the following oath, if thereto required by any parishioner, which oath the minister or curate of such parish is hereby empowered to administer.

*I A. B. do swear, that I am a householder of this parish, and that I live within the bounds of this city or town, and that I am worth one hundred pounds over and above all the debts I owe, and that I am not a tenant at will for the house I live in.*

*Sect. 14.* . . . Every owner or driver of any cart, car, dray, or waggon, the wheels of which shall be of less breadth or gauge than three inches at the least from side to side at the bottom or soal, when worn, and when the streaks or iron, with which such wheels are bound, shall be set on with sprigs or high-headed nails, shall forfeit the sum of 5 SHILLINGS and 5 PENCE, as also such cart, car, dray, or waggon, whenever any such cart, car, dray, or waggon shall be used or drawn



drawn on any publick road in this kingdom, to the person seizing the same; for the recovery whereof it shall be lawful for any person to seize any such carriage, as also any horse or beast of draft in such car, cart, dray, or waggon, with all the harness or accoutrements thereunto belonging, with all convenient speed, deliver up the said horse, or beast of draft, into the custody of the constable, pound-keeper, or parish-officer of the same, or of the adjacent parish or liberty where such seizure shall be made, who are hereby required to receive and retain the same for the space of twenty-four hours, unless sooner delivered by virtue of a warrant from a justice of the p. of the county where such seizure shall be made, in manner hereafter directed; provided, that the person so seizing the same, shall, within the space of twenty-four hours, make oath before some justice of the p. of such county, who being satisfied that such offence has been committed, shall issue his warrant under his hand and seal, to the constable, pound-keeper, or parish-officer, in whose custody such horse or beast of draft is, requiring him to deliver the same unto the person named in such warrant, he first paying to such constable, pound-keeper, or parish-officer, the sum of 1 SHILLING for each horse or beast of draft, for his trouble in detaining the same; and upon delivery of such distress to the person named in such warrant, the same shall be to the sole use of the person or persons so named in said warrant, unless the owner of the said beast or beasts, at the time of such seizure, shall, before the delivery of the same, pay to the person or persons named in such warrant, the sum of 5 SHILLINGS and 5 PENCE; on payment whereof the said constable, pound-keeper,

keeper, or parish-officer, shall deliver such beast or beasts with all their harness, to the owner or owners of them, he or they paying the said constable, pound-keeper, or parish-officer, 1 SHILLING for each beast for his care and trouble in keeping the same; and that if any person shall hinder, or with force obstruct the seizing or carrying off any such seizure or distress for the aforesaid offence, or any of them, or shall refuse the same, or shall use any violence to any person concerned in making such seizure or distress, every person so offending, shall, upon due proof made upon oath before any one justice of the p. for the county, city, or co. of the ci. or tn. where such offence is committed, (which oath such justice is hereby empowered and required to administer) forfeit for every such offence the sum of 40 SHILLINGS to the person who shall be obstructed in making such seizure, or in carrying off the same, to be levied by distress and sale of the offender's goods and chattels by warrant of such justice of the p. under his hand and seal; and the several collectors or receivers of the tolls and customs in the several cities, towns corporate, market-towns, or fairs, or of the several bridges in this kingdom (for the passage over which tolls are paid) are hereby required and empowered to demand and levy from all persons double the tolls or customs they are by the laws now in force or by usage enabled to receive, who shall carry any goods liable to pay any such tolls or customs in or through any city, town-corporate, or market-town or fairs, or over any such bridges in this kingdom, upon any car, cart, dray, or wagon, which shall not have the wheels thereof of the breadth or gauge of three inches at the least from

from side to side at the bottom or soles when worn, or in case the streaks or iron, with which the wheels thereof are bound, shall be set on with sprigs or high-headed nails: and if it shall appear, upon due proof made by one credible witness upon oath before any one justice of the p. for the county, city, or co. of the city or town corporate where such collectors or receivers shall be employed to collect the tolls or customs (which oath such justice is hereby empowered and required to administer) that such collector or receiver of the tolls and customs hath not obliged the owner or driver of any such car, cart, dray, or waggon, to pay such double tolls or customs for such goods; such collector or receiver, knowingly so offending against this act, shall forfeit the sum of 5 POUNDS for every such offence, to be levied by distress and sale of his goods and chattels, by the warrant of such justice of the p. under his hand and seal, one moiety thereof to be for the use of the informer, and the other for the county infirmary; and that the collectors of the tolls of the several turnpike-gates in this kingdom are hereby empowered and required to oblige the owner or driver of every such car, cart, dray, or waggon, to pay THIRTEEN-PENCE toll at each and every turnpike-gate, which if such gate-keeper shall neglect to do, it shall be lawful for any justice of the p. of the county, in which such turnpike-gate is, by warrant under his hand and seal to order any sum, not exceeding 20 SHILLINGS, to be levied off the goods and chattels of such gate-keeper, for every such offence, on due proof being made thereof by one credible witness upon oath before such justice, (which oath such justice is hereby empowered to administer) or  
upon



upon his own view; and that the owner or driver of any waggon, wain, cart, or carriage with four wheels, the breadth thereof being not less than six inches at the soal or bottom thereof, and the streaks thereof being set on with flat-headed nails, and the fore-axle-tree of such waggon, wain, or cart, or carriage, being so much shorter than the hind-axle-tree, that the wheels of such carriage shall roll at least ten inches of the road in breadth on each side of such carriage, and the wheels thereof placed at such a distance from each other, that the space between the middle of the one track made by such wheels on the road, and the middle of the other track shall be from four feet ten inches to five feet, shall not be obliged to pay more than **TWO-PENCE** toll for any such waggon, wain, cart, or carriage with four wheels, at any turnpike-gate for passing on any turnpike road in this kingdom in the same day; and that the owner or driver of any cart with two such wheels, drawn by not more than two horses, mares, geldings, or mules, or of any car or cart with two wheels, the breadth thereof being four inches at the bottom or soal when worn, and the streaks thereof being set on with flat-headed nails, shall not be obliged to pay more than **1 PENNY** toll for such cart or car with two wheels, drawn by not more than one horse, mare, gelding, or mule, at any turnpike-gate, for passing on any turnpike road in this kingdom the same day; it being the intention of this act, that the owners or drivers of such carriages with four wheels and with two wheels, shall not be obliged to pay more than once in the same day at any gate or gates on the same turnpike road, or division of such turnpike road upon their producing to the gate-keeper or gate-keepers

keepers of such gate or gates a ticket from the gate-keeper of the first gate they have passed through.

*Sect. 15.* ... It shall be lawful for the GRAND JURY of any county at the assizes to present, that such sum or sums of money as they shall think necessary, shall be raised upon such county at large, to be expended in building, re-building, enlarging or repairing the sessions-house, gaol, work-house or house of correction, or any bridge, or part of a bridge, or any gullet or pipe under any road, or any wall or part of a wall, necessary to the support of any road in such county, or for the gravelling or filling over any such bridge, gullet, or pipe; and also for the wages of the overseer of any such work, not exceeding 12 PENCE for each pound to be by him expended agreeable to such presentment.

*Sect. 16.* Provided that no money shall be so presented unless it shall appear by the affidavit of two credible persons who can read and write, sworn before one of the judges of assize, or before any two justices of the p. of such county, that the sum therein required is a reasonable charge, and that the work is necessary and cannot be effectually executed for a smaller sum, to the best of their judgment; and provided, that if the affidavit shall be for building a new sessions-house, gaol, work-house, or house of correction, or bridge, or for rebuilding an old one, that then and in such case, a plan and estimate of the work shall be annexed to such affidavit, in which the following words shall also be inserted after the words, *(smaller sum)* according to the plan and estimate hereunto annexed; and that no presentment for any new bridge shall be confirmed by any judge  
of

of assize, unless it shall first appear to such judge, that an affidavit and estimate for such new bridge had been laid before the GRAND JURY of such county at the last assizes, and shall be certified by the foreman of such grand jury, that the same had been laid before, and read unto such grand jury; but this shall not extend to new bridges presented instead of old ones, which were carried away or destroyed; and that the whole sum of money so presented for such work shall not be paid by the treasurer of any county on account of any such presentment, until it shall appear to the grand jury and to the judge of assize by the affidavit of one of the overseers appointed for such work, who can read and write, sworn before one of the judges of assize, that the said sum so accounted for hath been faithfully and honestly expended in the execution of the work, for which such money was granted by such presentment, to the best of his skill and judgment; and until the said account hath been allowed by the grand jury and by the judge of assize; and that where any presentment exceeding 100 POUNDS shall be granted for the building, re-building, or repairing of any session-house, gaol, work-house, or house of correction, or any bridge, in such case the judge of assize is hereby empowered to order such part of any such presentment to be paid by the treasurer to the overseer, on the overseer's affidavit being allowed by the grand jury, that as much of the work is done according to the presentment, as amounts to the sum required; which sum is hereby limited not to exceed two-thirds of the presentment; provided that the overseer gives security before one of the judges of assize to finish the work pursuant to the presentment.

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*Sect. 17.* . . . It shall not be lawful for the GRAND JURY of any county to present more than half the sum, that shall appear to them by the affidavit of two credible persons, sworn before the judge of assize, or before any two justices of the p. of such county, to be necessary for the building, re-building, or repairing of any bridge, gullet, or pipe, or for the filling or gravelling over the same, which is the boundary between such county and any adjoining county, and half the overseers wages to be raised upon such county; and that in the affidavits to be made before the money can be so presented or accounted for, instead of the words *in said county* shall be inserted these words: (*which is the boundary between this county and the county of* *old London*) and that no money shall be paid by the treasurer of any county on account of such presentment, unless it shall also appear to the grand jury and to the judge of assize, that an equal sum hath been presented to be raised for said work on the adjoining county; and that any justice of the p. of any county in this kingdom having an estate of freehold, in lands, tenements, or hereditaments, of the clear yearly value of 100 POUNDS at least within such county, may under his hand and seal order any sum not exceeding 5 POUNDS, to be expended in repairing any bridge on a publick high road, session-house, house of correction or gaol, within such county, which may be suddenly damaged, and which ought to be repaired by such county; provided it shall appear to him by the affidavit of two credible persons who can read and write, that the repair of such bridge, session-house, house of correction or gaol, cannot be delayed to the next assizes, without prejudice to the county, as they verily believe, which

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affidavit

affidavit the said justice is hereby empowered to take, and the said justice may also appoint proper overseers to repair the same; and the grand jury of every such county is hereby empowered to raise by presentment at the next assizes the sum so expended in repairing any such bridge, on a publick high road, session-house, house of correction or gaol, upon any such county at large, to be paid to the overseer or overseers so appointed by such justice, upon his or their producing to them such affidavit as is before mentioned, and such warrant under the hand and seal of the said justice, as also an affidavit sworn by one or more of such overseers before the judge of assize, that he or they have faithfully and honestly expended the sum specified in said affidavit, in repairing such bridge, session-house, house of correction, or gaol; and that any justice of the p. qualified as aforesaid, upon the affidavit of two substantial householders who can read and write, may in like manner order any sum of money, not exceeding the sum of 40 SHILLINGS, to be expended in repairing any hole or bad step which may happen in any road by a sudden fall of rain or other accident, and may appoint an overseer to repair the same; and the grand jury of every county are hereby empowered to raise by presentment upon the barony, in which such road is, the sum so expended, on such overseers performing such requisites as the above mentioned overseers of bridges are required to perform; provided that no justice of the p. shall make or have authority to make above one such order for any bridge or road between assizes and assizes, nor for any road in any barony in which he has not a freehold of the clear yearly value of 100 POUNDS; and also that no money shall be paid

paid by any treasurer to any overseer appointed by any justice of the p. in manner aforesaid, unless it shall first appear to the grand jury and judge of assize by the affidavit of such justice, that he viewed such bridge or road before he gave any orders for repairing the same, and that the repair thereof seemed to him necessary to be made, and that he viewed the same since it was repaired, and that the work seemed to him to have been well executed, and the whole of the money to have been honestly expended, and that he has an estate of freehold in the county (if the order was for a bridge, gaol, session-house, or house of correction) or in the barony (if the order was for a road) of the clear yearly value of 100 POUNDS, and that he made only one such order since the last assizes.

*Sect. 18.* . . . Whenever the overseer appointed by the GRAND JURY for any work presented to be done, shall happen to die before he has accounted for the same, and after a part or the whole of the money presented for the same hath been expended by him in the execution thereof, that in case an affidavit sworn by any credible person, who can read and write, before the judge of assize, in the form prescribed by this act for the overseer to have sworn, be allowed by the grand jury and judge of assize; in which affidavit, instead of the words (*I have faithfully and honestly expended*) may be inserted these words (*to the best of his belief and opinion was expended by who is now dead*) the money declared by said affidavit to have been expended, together with the wages, if presented, shall be paid by the treasurer, any thing herein contained to the contrary notwithstanding.



*Sect. 19.* . . . Whenever it shall happen, that any sum of money presented to be raised shall not be expended agreeable to such presentment, and accounted for within a reasonable time after such presentment was made, that then it shall and may be lawful for the GRAND JURY of the said county to represent such sum of money, then in the treasurer's hands, to be expended on some other work in the barony upon which the former sum was presented to be raised, or in the county, if it was raised upon the county at large.

*Sect. 20.* And that it shall be lawful for any person or persons, who now have, or hereafter shall have any ferry over any river, excepting cities and towns corporate, to erect and support a bridge at his or their own expence over such river, in the place of such ferry, and to take and receive for passing such bridge such toll, and no more, as they are entitled to receive for passing such ferry.

*Sect. 21.* . . . It shall not be lawful to or for the overseer or overseers of any road, bridge, or wall, to search for, dig, raise, or carry away, any gravel, stones, sand, or other materials, from any beach or sea shore, which is a publick road or a bulwark, or defence to any towns or publick roads adjoining the same; and that every person who shall be convicted thereof, on the oath of any one credible witness, before any one justice of the p. within his jurisdiction, shall for every such offence forfeit the sum of 5 SHILLINGS for every cart load or car load of such gravel, stones, sand, or other materials, so dug, raised, or carried away, any thing in this act to the contrary notwithstanding.

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*Sect. 22.* It shall be lawful for the GRAND JURY of any county at the assizes, by presentment, to raise such sum of money, as they shall think fit, not exceeding 5 POUNDS, on such county at large, for paying a secretary for his trouble in drawing and entering the presentments, and attending such grand jury during such assizes; and also any sum of money, not exceeding 5 POUNDS, for an interpreter at such assizes; and also any sum of money, not exceeding 10 POUNDS in the whole, to be paid to the clerk of the crown in lieu of fees for persons discharged at quarter-sessions and assizes, and for his attendance at such assizes; and also any sum of money, not exceeding 10 POUNDS in the whole, to be paid to the clerk of the p. of such county for his trouble in executing the said office; and also any sum of money not exceeding 100 POUNDS in the whole, for an accurate survey and map of such county; and also any sum of money that shall be necessary for paying one half-year's rent of the court-house or session-house, gaol, workhouse, or office for keeping the records of said county in, where such office is taken and rented for that purpose by the grand jury; and also any sum of money not exceeding 20 POUNDS in the whole, for the building or repairing of gallowses, or for bolts, shackles, stocks, whipping posts, ducking stools, or pillories, or for cleansing of necessary-houses of gaols, or for mile-stones, or finger-posts; and also any sum of money that shall be necessary for the expence of conveying of any prisoner accused of capital offences to the county gaol, so as the same do not exceed the sum of SIXPENCE for each mile every such prisoner shall be so conveyed to such co. gaol; and also for the recovering of publick money

money from treasurers, collectors, or receivers, their executors, administrators or sureties, upon such bills of cost being laid before the grand jury, and verified by affidavit sworn in court.

*Sect. 23.* Provided always, that no sum of money shall be paid by the treasurer of any county for or upon account of any such presentment, (except for the salaries of the secretary to the GRAND JURY, the clerk of the crown, and of the clerk of the peace, or for rent,) until it shall appear to the grand jury and to the judge of assize, by the affidavit of one of the persons, to whom such sum was granted, sworn before one of the judges of assize, that such sum hath been faithfully and honestly expended agreeable to the presentment by which such sum was granted.

*Sect. 24.* The GRAND JURY of each county shall every year appoint a proper person to be high-constable for each barony or half barony in such county, for which high constables have been heretofore appointed, and shall also appoint four proper persons to be sub-constables for every such barony or half barony, to assist in carrying this act into execution, and to preserve the peace at the assizes, sessions, and elections, and at all times in such county; and may, if they shall think proper, at each assizes present any sum not exceeding 8 POUNDS, to be raised upon such barony or half barony, to be paid to such four sub-constables for their trouble in executing said office, by the treasurer of such county, upon their producing to him a certificate from the clerk of the p. of such county, that they had at some quarter-sessions or adjournment thereof for such county since their appointment to such office duly qualified themselves, agreeable to an act passed in the second year of her late majesty queen



queen Anne, entitled, *An act to prevent the further growth of popery.* And that the grand jury of every county may at each assizes appoint a proper person to collect the money presented to be raised upon each barony or half barony in such county, as also the proportion of such barony or half barony presented to be raised on the county at large, and may present any sum not exceeding NINE-PENCE in the pound, to be raised and paid as wages for collecting the same, on producing the treasurer's certificate of his having paid the same, pursuant to his recognizance; provided, that the said sum presented as wages shall not be raised, unless the person or persons, who shall so collect, shall enter into a bond with warrant of attorney, with two sufficient sureties to the treasurer of the county, to be approved by the grand jury at the assizes, or by the justices of the p. at the quarter-sessions, for the collecting and paying of all such publick money, as he or they are required to collect, to such treasurer on or before the second day of the next assizes; and that every collector appointed as aforesaid may by writing under his hand and seal appoint a deputy collector or deputy collectors to assist him in collecting the publick money, for whom he shall be answerable; and in case the grand jury shall neglect or omit to appoint a collector for any barony in such county, or that a collector being appointed shall fail to give the security required, the high constable of such barony shall to all intents and purposes be deemed the collector within his district; and shall in like manner, on giving the security aforesaid, and not otherwise, be entitled to receive the sum presented as wages for his trouble in collecting such publick money; and the several constables  
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of each county are hereby required to aid and assist the collector or collectors, deputy collector, or deputy collectors, (or high constable) of such county, in collecting the publick money so presented to be raised in such county, as also all persons empowered to levy publick money; which, if any constable so required shall refuse to do, every such constable so refusing shall upon conviction by the oath of two credible witnesses before any two justices of the p. of the county, city, or town corporate, where such offence shall be committed, forfeit for every such offence a sum not exceeding 10 POUNDS, to be levied, together with the charges, by distress and sale of the goods of the offender, by warrant of any two justices of the p. for such county, city, or town corporate, where such offence shall have been committed; and that all persons empowered to levy or collect publick money shall and may, and are hereby empowered to levy the same by distress and sale of the goods and chattels of all such persons, who shall refuse to pay the same, and after the sale of such distress to retain the money which the said person ought to pay, rendering the overplus (if any) after deducting 1 SHILLING in the pound for the trouble of levying the same, or 1 SHILLING for every warrant.

*Sect. 25.* . . . The clerks of the crown respectively throughout this kingdom shall file and keep amongst the records of each county within his province all affidavits, maps, plans and estimates made pursuant to this act, and shall within four days after every assizes deliver to the treasurer of each county, without fee or reward, copies of all the presentments made at said assizes, and also of all queries discharged at the same, signed by himself, and for every default thereof, that

that he shall forfeit the sum of 5 POUNDS, to be recovered by any person who shall sue for the same by civil bill; and such clerk of the crown shall also, at every assizes deliver to the GRAND JURY a true and faithful return of all queries and presentments, which have not been duly accounted for and discharged; and if he shall wilfully neglect so to do, he shall upon conviction thereof, by evidence to the satisfaction of the court, be incapable of acting in the said office for the future. And that the treasurer of every county shall give copies of such presentments as he shall receive from the clerk of the crown, to any of the overseers mentioned in such presentment, or to their order, on demand or within ten days after such overseer shall apply to him for the same, without fee or reward; and that every treasurer shall make up his accounts upon oath of all his receipts and payments at every assizes, and lay them fairly written the last day of the said assizes, or sooner if required, before the grand jury of such county where he is appointed treasurer, to be viewed, allowed, or disapproved of by the said grand jury, who shall cause the same to be entered in the county book, with such remarks as they shall think fit to make thereon; and that no treasurer shall compound for any money to be raised on the publick, nor make any deductions whatsoever for any sum he shall pay to any person, but such as he shall account for; and if the treasurer of any county shall offend herein, or neglect to make up his accounts as aforesaid, or to keep an office open every day (Sundays only excepted) for the space of fourteen days immediately next after every assizes, from the hours of nine in the morning till three in the afternoon, in the town wherein the



the assizes were last held, or shall, during that time, refuse to pay the amount of all such queries as shall have been discharged, if demanded, without fee or reward (if he shall have publick money to pay the same) he shall be fined by the judge of assize, or be committed, without bail or mainprize, to the county gaol, at the discretion of such judge of assize.

*Sect. 26.* . . . The treasurer of each county shall, within one month after he shall have received such copies of the presentments, issue his warrants to the several persons, who under the provision in this act are to be the collectors for levying and collecting the sums to be raised off each barony or half barony, in order to answer the presentments made at such assizes; which sums every person to whom such warrant is directed is hereby empowered and required to raise and levy, and to pay to the treasurer on or before the second day of the next assizes; and in case any person shall refuse to pay his or her proportion thereof, such person, as shall be empowered to collect the same, shall and may levy the same by distress and sale of the goods and chattels of such person, rendering to him or her the overplus, if any, after deducting thereout at the rate of TWELVE-PENCE for each pound for his trouble in making such distress; and in every such warrant shall be inserted the names of the several manors, parishes, or denominations contained in that portion of the county, which such person is to collect from, as the same is contained in the county book, and also the whole sum to be collected by such person, and the portion thereof which each manor, parish, or denomination is to pay, according to its contents in the county book, or as it has been usually rated at.

*Sect.*

*Sect. 27.* And whereas it has been found very difficult in many cases to ascertain the proportion each person is to pay; whereby much obstruction has arisen to the collection of the money required by the treasurer's warrant to be levied: therefore be it enacted by the authority aforesaid, that every person empowered to receive the same, to whom such warrant shall be sent, shall, within ten days after he shall have received such warrant, deliver or send to the seneschal, rector, vicar, curate, or church-wardens of each manor, parish, or denomination of land mentioned in such warrant, or in case there be no seneschal, rector, vicar, or curate, or church-warden of the same, then to any principal residing inhabitant (if he shall be required so to do by any two landholders of any such manor, parish, or denomination of land, or if he shall find it necessary so to do) an account in writing, signed by himself, of the sum he is required by the said warrant to levy upon the said manor, parish, or denomination, and to desire that the said sum may be apportioned thereon; and every person, who shall receive such account, is hereby required (under the penalty of 10 POUNDS, to be recovered by civil bill before the judges of assize by any person who shall sue for the same) to post up within six days after receipt thereof on the door of the church, or any other conspicuous place in said manor, parish, or denomination, a notice, signed by himself, setting forth, that the landholders and inhabitants of \_\_\_\_\_ are hereby required to meet at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ to chuse two or more persons to apportion the sum of \_\_\_\_\_ required to be levied upon such manor, parish, or denomination, by the warrant of the treasurer of this \_\_\_\_\_

this county; at which meeting the landholders and inhabitants then present shall chuse two or more persons to be applotters, and the persons so chosen shall applot the same fully and justly, as soon as they conveniently can; and shall upon the back of, or underneath their applotment, make oath before any justice of the p. for such county, that they have made the said applotment justly, according to the best of their skill, without favour, affection, or malice: and shall, within thirty days after being so chosen, deliver the same to the person who is empowered to collect the same, under the penalty of forfeiting for every day they shall omit to deliver the same after the said thirty days, the sum of 10 SHILLINGS, to be recovered by civil bill before the judge of assize, by any person who shall sue for the same; and the collector on receiving such full and sufficient applotment is hereby authorized and required to levy the said money according thereto; and also any sum of money not exceeding 10 SHILLINGS for the applotter's fees, by distress and sale of the goods of every person refusing to pay the proportion therein applotted for him or her to pay; rendering the overplus, if any, to the owner; and in case no full and sufficient applotment shall be returned within thirty-six days after such account was sent or delivered, then in such case it shall be lawful for the collector, or his deputy, or the high-constable, into such manor, parish, or denomination, to enter and distrain the whole or any part thereof, and by sale of such distress to levy the full sum he is required by the treasurer's warrant to levy upon such manor, parish, or denomination; and that it shall be lawful for the GRAND JURY of any county at any assizes held



held for the same, to present all such sums of money, as now are, or at any time hereafter shall be unpaid or in arrear, out of any barony or half barony, to be raised and levied on such barony or half barony which the same was originally required by the treasurer's warrant to be levied upon, if they think fit, and to present all such sums of money which have hitherto been, or at any time hereafter shall remain unpaid on account of the absconding or insolvency of any collector, or other person empowered to collect or receive publick money, who is or shall be insolvent, to be raised and levied either upon the county or upon the barony or half barony in which the same was before levied, if they think fit; which sums shall be levied in the same manner, and subject to the same rules, regulations, provisions, and powers, as the money to be levied by virtue of this act is to be subject; and in case any money so detained or secreted by any collector, treasurer, or other person empowered to collect or receive publick money, shall be hereafter recovered, it shall be paid to the then treasurer, and be presented by the grand jury to be expended in executing some work or works in the said county at large, or barony or half barony, which are so charged, such as grand juries have power to present on the county, barony, or half barony respectively. And that if it shall appear to any judge upon due proof by two credible persons upon oath at any assizes, within one year after any quere, or any presentment by which money was granted, has been discharged, that the court was deceived by any affidavit for discharging such quere, and that the money was not expended agreeable to the presentment, the judge of assize may, notwithstanding such quere

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was discharged, fine or issue process in such case against the overseer or overseers mentioned in such presentment, as if the quere had not been answered. And that if any lordship, manor, or parish, shall be so large, that one constable shall not be sufficient to do the whole office of constable within the said lordship, manor, or parish, it shall be lawful to make and appoint two or more constables for such lordship, manor, or parish, in such manner as such one constable was formerly appointed for the same; which said new constable or constables shall have such and the same power and authority, as any other constable hath or by the laws of this realm ought to have.

*Sect. 28.* . . . If any collector, appointed by the GRAND JURY of any county, shall happen to die before he shall have collected the publick money, it shall be lawful for the justices of the p. of such county, at the quarter-sessions, or any adjournment thereof, to appoint another fit and proper person to collect the publick money in the place of such collector deceased upon his giving sufficient security to perform the requisites aforesaid, until a collector shall be appointed by the grand jury of such county aforesaid.

*Sect. 29.* . . . It shall be lawful for any person, who shall think himself or herself aggrieved by the presentment of any GRAND JURY, to enter one or more traverse or traverses in open court to such presentment; which traverse or traverses shall be tried immediately, or at the next assizes.

*Sect. 30.* Provided always, that such traverse may be tried upon the entry of any presentment in the crown book, and the traverse taken thereto, without making up any record for the purpose,

purpose, so that such entry in the crown book be sufficient in substance, though it may be defective in point of form. And that every overseer; appointed by the GRAND JURY for making or repairing any publick road or wall necessary for the support of any road, shall be empowered to dig for, raise, and carry away any gravel, stones, sand, or other materials, which may be wanted for the building, rebuilding, enlarging, or repairing of any bridge, gullet, pipe, or wall necessary for the support of any road, or for the making, repairing, or preserving of any road, whether it be in such county or adjoining county, and to make drains, in order to carry off the water that may injure any bridge, gullet, pipe, wall, or road, in or through the lands of any person not being a deer-park, green, orchard, haggard, or yard, or in the planted walk, avenue, or lawn, to the mansion-house of any person, and to carry away the said materials; and that such overseer shall make such satisfaction to the owner or occupier of the land, for what damage may be done thereby, as shall be assessed by three substantial householders of the county, in which he was appointed overseer, one to be named by each of the parties, and the third by the next, or any neighbouring justice of the p. who shall be sworn by such justices of the p. to be appraisers of such damages, and to make a true estimate of such damages, to the best of their skill; and that if any person shall obstruct or prevent such overseers in digging for, raising, or carrying away such materials, or in making such drains, such persons shall upon conviction by oath of one credible witness before any one justice of the p. of such county, city, or town corporate, where such offence shall have been



been committed, forfeit for every such offence a sum not exceeding 5 POUNDS; to be levied together with the charges by distress and sale of the goods of the offender, by the warrant of any one justice of the p. of such county, city, or town corporate, where such offence shall have been committed. And that a sufficient recompence may be made to any person injured by the taking of any such materials as shall be necessary for the building, rebuilding, enlarging, or repairing of any bridge, gullet, pipe, or wall, necessary for the support of any road be it further enacted by the authority aforesaid, that the estimate of such damages as aforesaid, made by the persons appointed for that purpose, and sworn to by them before two justices of the p. of such county, may be laid before the next grand jury of such county, who may present such sum or sums of money, as they shall think a sufficient recompence for such damages as aforesaid, not exceeding the sum so estimated, to be raised off the county at large, and paid to such persons by the treasurer of such county; and that every such overseer may give notice to the owner or occupier of the land adjoining to the roads, he is appointed to oversee, to scour the drains or ditches, or to cut or clip the hedges by the sides of such roads, at a height not exceeding five feet, which if the owner or occupier shall neglect to do within ten days after the serving of such notice, any justice of the p. of the county, in which such road is, may by warrant under his hand and seal, order the overseer of such road to have the said drains or ditches effectually scoured, or the hedges cut or clipped; and may by such warrant authorize such overseer to levy the expence attending thereon, off the

the goods of such owners or occupiers, together with such wages to the said overseer, as the said justice shall think fit, not exceeding EIGHTEEN-PENCE for each day that the said overseer shall necessarily be employed in attending and performing such work.

*Sect. 31.* . . . . If the owner or occupier of any land or house adjoining any publick road, shall after notice given to him or her by the overseer of such road, or by the sub-constable of the barony, to remove any dunghill, dirt, rubbish, or other nuisance which may be laid upon any part of such road, opposite to his or her land or house, or within twenty-one feet of the centre of such road, or to make sewers or pipes for the free passage of any water that may be obstructed by the passing of cattle into his or her land, or to his or her house from such road, so as to injure such road, forty-eight hours next after service of such notice personally at his or her house or usual place of abode, that then and in every such case the overseer of the said road, or the sub-constable of the barony, or any other person, may complain of the refusal or neglect to remove the said dunghill, dirt, rubbish, or other nuisance, or to make such sewers or pipes by the said owner or occupier of such land or house, to any justice of the p. for the county, where the said dunghill, dirt, rubbish, or other nuisance, shall be laid, and thereupon it shall and may be lawful for the said justice of p. to issue his warrant or summons, requiring the party or parties so complained of to appear before him at a certain place therein mentioned within six days after such service of the said warrant or summons to answer the said complaint; and the said justice shall and may in the presence of the said party or parties com-  
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plained of, or in his, her, or their absence, if duly summoned, he, she, or they refuse or neglect to appear at the time and place appointed in such warrant or summons, examine into the matter of the said complaint; and if it shall be manifest to the said justice upon such examination by confession of the party or upon oath of one credible witness, that the said complaint was well founded, it shall and may be lawful for every such justice of the p. upon every such offence proved as aforesaid, to fine the owner or occupier of such land or house, in any sum not exceeding 20 SHILLINGS; and by his warrant or warrants to levy the same by distress and sale of the offenders goods; and the money arising by such sale over and above the amount of the said fine to pay the said owner or occupier of the said land or house; and the said fine levied as aforesaid the said justice shall apply in manner following, that is to say, in the first place to defray the expence of removing the said dunghill, dirt, or rubbish, or other nuisance, and in making such sewers or pipes; and the residue of the said fine the said justice shall pay to the minister and church-wardens of the parish wherein such dunghill, dirt, rubbish, or other nuisance shall have been laid, for the use of the poor of the said parish.

*Seet. 32.* . . . Every person, who shall build any house or part of a house within twenty-five feet of the centre of any road, (except in cities or market-towns,) or keep any cur, dog, mastiff, or bull-dog, at any house within fifty yards of any road, without having a block of wood of the weight of five pounds at the least fastened to the neck of every such dog, or shall lay any turf, dung, dirt, straw, rubbish, or the scouring



ing of any ditches or drains, or other filth, or any stones or timber upon any part of any road, or within twenty-one feet of the centre of any road, or shall steep or dry any flax, or burn any weeds or bricks within one hundred yards of any road, or build any lime kiln within fifty yards of any road, or shall cut any turf, or make any turf-stack within twenty-one feet of the centre of any road, or shall pull down any part of any bridge, or injure any mile-stone or finger-post, or shall dig any pit, or make any ditch, or shall build any wall, within fifteen feet of the centre of any road, or put up any sign-post or May-bush within twenty-five feet of the centre of any road, or shall leave any car or cart in the night time from sun-set to sun-rise on any part of any road, or in the streets of any city or town through which travellers usually pass, without leaving a passage twenty-one feet at least in breadth for travellers, or winnow any corn on any part of any road, or shall alter any road, not being first authorized so to do by due course of law, or shall leave the carcase of any dead horse, mule, ass, or other beast, or skin any dead horse, mule, ass, or other beast, on any road, or within one hundred yards of the centre of any road, or shall lead or drive any car or cart with timber, boards, or iron, laid crossways on such car or cart, or scrape the gravel off any road, shall upon conviction by the oath of one credible witness before any justice of the p. of the county, where such offence shall be committed, or upon the view of any such justice, for every such offence forfeit a sum not exceeding 10 SHILLINGS, to be levied by distress and sale of the goods of the offender by the warrant of any one justice of the p. of the county, city, or town.

town-corporate, in which such offence shall be committed: And that if any person shall draw any mill-stone on any road without supporting such mill-stone by a carriage on wheels, such persons shall upon conviction by the oath of one credible witness before any one justice of the p. of the county, where such offence shall be committed, forfeit a sum not exceeding 40 SHILLINGS, to be levied by distress and sale of the goods of the offender by the warrant of any one justice of the p. of the county, or city, or town-corporate, in which such offence shall be committed; and that if any person shall draw any timber, boards, or sticks, without supporting the ends of such timber, boards, or sticks, on a carriage or carriages on wheels of the breadth of three inches at the least on any road, which was made or repaired with money granted by the GRAND JURY of any county or turnpike board, such person shall upon conviction by the oath of one credible witness before any one justice of the p. within his jurisdiction, or upon the view of such justice, forfeit a sum not exceeding 5 SHILLINGS, to be levied by distress and sale of the goods of the offender by the warrant of such justice, and also such timber, boards, or sticks, to the person who shall seize the same; and that the grand jury at any assizes may present any house or part of a house, or lime-kiln, hereafter built contrary to the intent of this act, to be pulled down, or that any justice of the p. within his jurisdiction may by his warrant order any dog kept contrary to the intent of this act to be killed, or any pit or ditch to be filled up or levelled, or any wall to be thrown down, that shall be hereafter made or built contrary to this act, as also the necessary expence attending thereon,

on, to be levied by distress and sale of the offender's goods and chattels; and that any person may take and carry away all such turf, dung, dirt, straw, or rubbish, corn, filth, scouring of ditches or drains, or stones, as he shall find so laid upon any part of any road, or within twenty-one feet of the centre of any road, and apply the same to his own use, and may kill any dog, that shall be kept contrary to this act, without being sued or prosecuted for so doing.

*Sect. 33.* . . . Every landholder or occupier of land, who shall lay, or cause or suffer to be laid, upon his land within three miles of any city, or within one mile of any town corporate in this kingdom, for manure or any other purpose any filth, offals, or blood, or the scrapings of slaughter houses or of shambles, or the emptyings of privies, without immediately covering the same with such quantities of lime or earth, as shall be sufficient to prevent any annoyance therefrom, shall upon the view of any justice of the p. within his jurisdiction, or upon the information of one credible witness, forfeit the sum of 5 POUNDS for every such offence, to be levied by distress and sale of the goods and chattels of the offender, by the warrant of such justice of the p. within his jurisdiction under his hand and seal.

*Sect. 34.* . . . It shall be lawful for the judges of assize in their several and respective circuits from time to time to order one or more warrants in nature of an execution to issue, directed to the high sheriff or other officer lawfully authorized within the several and respective counties, and co. of ci. and ts. where any person was made treasurer, collector, or overseer of any publick work, empowering such high-sheriff, or his



his under-sheriff, lawful deputy, or other officer lawfully authorized, by sale of the goods and chattels, or sufficient part thereof, or by or out of the rents, issues, and profits of the lands and tenements of any such treasurer, collector of the publick money, or overseer, or their sureties, who shall not have accounted for and paid the publick money they ought to have accounted for and paid or expended, and who shall be found to be in arrear for the same, or any part thereof, to raise, levy, and collect such sum or sums of money, for which they shall be so in arrear, and pay the same when levied to the treasurer of the county; for the collecting of which such high-sheriff, or his under-sheriff, or lawful deputy, or other officers lawfully authorized, shall be entitled to receive 1 SHILLING for every pound, he shall so collect, to be levied in manner aforesaid from such person or persons against whom such warrant shall issue as aforesaid; and that it shall be lawful for every judge of assize to enquire of, hear, and determine all and every offence, matter, and cause, that shall grow, come, or arise, by reason of this statute, and to lay on such reasonable fines as shall be thought meet; which fines shall be levied by the high-sheriff, or his under-sheriff, or by the collector of any barony, or his deputy, as the said judge of assize shall direct, as all county or barony taxes are hereby appointed to be levied, and shall be paid to the treasurer of such county, to be expended in such manner as the GRAND JURY of such county shall direct, after deducting 1 SHILLING in the pound for levying the same.

*SECT. 35.* . . . If any person shall be sued, molested, or troubled for putting in execution any of the powers contained in this act, or for doing any

any act, matter, or thing pursuant thereto, such person shall and may plead the general issue and give the special matter in evidence, or may avow the taking any distress on the treasurer's warrant merely without going into other title or authority; and if the plaintiff or plaintiffs shall be non-suited, and judgment given against him, her, or them, upon demurrer or otherwise, or a verdict pass for the defendant or defendants, or a dismissal upon a civil bill, such defendant or defendants shall have his, her, or their treble costs; to be recovered by such method and manner as where by law costs are given to defendants; and that the solemn affirmation or declaration of a quaker shall be adjudged and taken to be of the same force and effect to all intents and purposes, in any case where by this act an oath is required to be taken, as if such quaker had taken an oath in the form prescribed, or in the usual form.

*Sect. 36.* . . . His majesty's justices of the p. are hereby authorized to put this act in execution, and to administer the several oaths herein before directed to be taken within their several and respective jurisdictions; and that one moiety of all forfeitures and pecuniary penalties to be inflicted by this act, and not otherwise applied, shall be paid to the informer with full costs; and the other moiety to the treasurer of the county infirmary for the benefit of such infirmary; and that if any person convicted of any offence by this act shall not be able to pay the penalty he or she has incurred, it shall be lawful for the justice or justices of the p. before whom such person was convicted, to send such person to the work-house or house of correction of the county, there to remain at hard labour for such time as the said justice or justices shall think proper, not exceeding three months.

*Sect.*

*Sect. 37.* . . . Every person, who shall be guilty of wilful and corrupt perjury, or of false affirming, or of forging or counterfeiting the name of any justice of the p. and be thereof convicted by due course of law, shall incur the pains and penalties, which by law are enacted against wilful and corrupt perjury.

*Sect. 38.* . . . It shall be lawful for the GRAND JURY of any county, or co. of a ci. or co. of a tn. to raise by presentment such sum or sums of money, as such grand jury shall think necessary, not exceeding 12 PENCE *per* perch, for the making or repairing of foot-paths with stiles, not less than three feet wide, on any road in such county, (or along the side of any road, with the consent of the occupier of the land,) upon any barony in such county in which such foot-path is necessary, subject to such method of account as the presentments for publick roads are by this act made subject unto; and that if any person shall ride or drive any horse, beast, or cattle, knowingly, willingly, or unnecessarily, on any such foot-path, such person shall upon conviction by the oath of any one credible witness before any one justice of the p. within his jurisdiction, or upon the view of any one such justice, for any such offence forfeit a sum not exceeding 5 SHILLINGS, to be levied by warrant under the hand and seal of such justice by distress and sale of the horse, beast, or cattle, so ridden or driven on such foot-path, which penalty shall go to the informer.

*Sect. 39.* Be it enacted, . . . that this act shall extend to co. of ci. and co. of ts. and that the GRAND JURIES thereof shall be empowered to present such sum or sums of money, as they shall think necessary, on the county at large of such city



city or town in the same manner, and for the same purposes, and subject to the same method of account to all intents whatsoever, and to do every other act, that the grand juries of the several counties in this kingdom are by this act enabled to do, although the words, "in the barony or half barony of" be not inserted in the affidavits laid before such grand jury.

*Sect. 41. Enacts that the vestry appointed by 11 Geo. 3. chap. 9. to be held in every parish or union in Ulster, for the purpose of road-making, after Michaelmas, shall instead thereof be hereafter held on the first Tuesday, Wednesday, or Thursday, of September, in every year.*

*Sect. 42. . . . Whereas the person or persons appointed collector or collectors of money presented at vestries, held under and by virtue of . . . the act 11 G. 3. c. 9. frequently refuse to account for or pay the money collected by him or them to the director or directors mentioned in the said act, as the said act appoints; for remedy whereof be it enacted by the authority aforesaid, that upon such refusal of any collector or collectors to account for or to pay the money collected, or which should be collected, by him or them, any justice of the p. of the county seized or possessed of three hundred pounds a year, shall on the complaint of any such director or directors summon the collector or collectors so refusing to account for or to pay before him; and if such collector or collectors so to be summoned shall not shew sufficient cause for such refusal, or for not collecting the sum or sums presented at such vestry, the justice shall forthwith by warrant under his hand and seal cause the sum or sums received, or which ought to have been received without*

without wilful default by such collector or collectors, to be forthwith levied off the goods and chattels of the collector or collectors, together with the costs of such warrants, and of the constable's trouble in levying the same; and shall pay the same to the director or directors of the parish, to be applied by them pursuant to the presentment of the said vestry.

16 Geo. 3. chap. 21. sect. 2.

... If any person or persons from and after the 1<sup>st</sup> of March 1776, being armed with any fire-arms, firelock, pistol, or any offensive weapon or weapons whatsoever, or having his, her, or their face or faces, body or bodies, disguised in any manner whatsoever, or wearing any particular badge, dress, or uniform not usually worn by him, her, or them upon his, her, or their lawful occasions, or assuming any particular name or denomination not usually assumed by his m's. subjects upon their lawful occasions, shall rise, assemble, or appear by day or by night to the terror of his m's. subjects; every person so offending, being thereof lawfully convicted upon indictment, shall be adjudged guilty of an HIGH MISDEMEANOR; and the court, . . . shall have power . . . to punish . . . by fine and imprisonment, and . . . corporal punishment, with security for . . . good behaviour. . . . at discretion of the court.

Sect. 3. . . . If any person or persons rising or assembling in manner herein before mentioned, or in any other manner whatsoever save as herein after is declared, shall either by day or by night wilfully or maliciously shoot at, maim, or disfigure any person or persons in any dwelling house or other place, or shall knowingly send any

any letter with or without any fictitious name or names thereto subscribed, demanding any money, fire-arms, ammunition, or other thing or things, or threatening to injure the person or property of any of his m's. subjects; or if any person or persons shall by gift, promise, or threats procure any of his m's. subjects to join in any of the aforesaid offences, or shall unlawfully compel, or by force, threats, or menaces attempt to compel, any of his m's. subjects to quit his, her, or their habitation, farm, possession, place of abode, or lawful employment, all and every person and persons so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of FELONY WITHOUT BENEFIT OF CLERGY.

*Sect. 4.* . . . If any person or persons shall at any time after sun-set and before sun-rise, or before the hour of six in the forenoon though the sun should be arisen, maliciously assault or in any manner whatsoever maliciously injure the habitation, property, goods, or chattels of any other person or persons, or shall forceably and maliciously break into his, her, or their house, barn, or out-house, or shall maliciously cause any door to be open by threats, menaces, or shall forceably take or carry away any horse, gelding, mare, or mule, or any gun, sword, or other offensive weapon, or any money, or goods, or chattels, without the consent of the owner, or shall cause the same, or any of the same, to be delivered to them by threats or menaces, all and every person or persons so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of FELONY WITHOUT THE BENEFIT OF CLERGY.

*Sect.*



*Sect. 5.* . . . If any person or persons shall after the hour of six in the forenoon, the sun being risen, and before sun-set, commit any of the offences last herein before mentioned, he, she, or they so offending, shall on conviction thereof be punished by fine and imprisonment, pillory, whipping, or such other CORPORAL PUNISHMENT as the COURT in their DISCRETION shall think fit to impose.

*Sect. 6.* . . . It shall and may be lawful for every . . . peace-officer, within the limits of his . . . jurisdictions, taking with them the necessary assistance, (and they are hereby impowered . . . to command all his m's. subjects of age and ability to be assisting therein) to apprehend, disperse, resist, and oppose all persons concerned in any of the UNLAWFUL ACTS BEFORE-MENTIONED in this act; and if any person . . . shall happen to be killed, maimed, or hurt, in the apprehending, dispersing, resisting, or opposing any such offenders, then every such . . . peace-officer, and all . . . persons . . . assisting to them, or any of them, shall be . . . indemnified . . . concerning the killing, maiming, or hurting any such persons.

*Sect. 7.* . . . Every person . . . aiding, assisting, abetting, or succouring, *any person or persons to commit, or concealing any person or persons who have committed any of the offences aforesaid* . . . shall suffer death as in cases of FELONY WITHOUT BENEFIT OF CLERGY.

*Sect. 8.* Be it enacted . . . that satisfaction . . . be made in manner herein after mentioned to all and every person or persons, his, her, or their executors or administrators, for all and every injury and damage which shall be done or committed against his, her, or their person or persons, habitations, possession, property, goods, this

or chattels, by any offender or offenders against this act; and that every person or persons, his, her, or their executors or administrators, who shall sustain any such injury, loss, or damage by any of the offences herein before mentioned, may sue for and recover satisfaction and amends for the injury, loss or damage, incurred or suffered as aforesaid, at the next assizes to be held for the county where such offence was committed, by exhibiting to the judge or judges of assize, his, her, or their petition, praying such satisfaction and amends for the injury, loss, or damage sustained as aforesaid, and therein setting forth particularly the injury and damage done to his, her, or their person, habitation, property, goods or chattels, and the particular value thereof, by what number of persons he, she, or they believe such injury or damage was done or committed, and of what religion he, she, or they believe such offender or offenders, or any of them, was or were, with the names and descriptions of such of said offenders, as he, she, or they shall know, and such particular descriptions of such others of them as he, she, or they can give; and the matter shall thereupon be examined by such judge or judges of assize in open court in the presence of the GRAND JURY, impannelled and sworn at said assizes, on the oath of the party assaulted or injured as aforesaid, and such other evidence as can be produced touching the said offences, according to the nature thereof; and if on consideration of the matter such judge or judges of assize shall be of opinion, that the person or persons preferring such petition hath or have fully proved the several matters aforesaid, and the value of the injury or damage sustained as aforesaid, so as to entitle him, her, or them to satisfaction and amends,

amends, the said grand jury shall thereupon, and they are hereby required, pursuant to the direction of such judge or judges of assize as aforesaid, to present such sum or sums of money, as the person or persons so assaulted or injured in his, her, or their person, habitation, possession, property, goods, or chattels, ought in their opinion to have and receive for the loss, injury, or damage by him, her, or them sustained as aforesaid, to be raised either on the county, barony, town or towns, parish or parishes, in or near which such offence shall have been committed, and in such proportions as they shall think fit; which sum so presented as aforesaid shall be applotted, levied, and raised by such ways and means, and in such manner and form, as other publick money presented at the assizes shall be applotted, levied, and raised within such county pursuant to the laws now in force. \*

*Sect. 9.* Provided, that if any person or persons shall find himself, herself, or themselves aggrieved by any presentment to be made in pursuance of this act, such person or persons, in case the sum presented to be raised do exceed the sum of 5 POUNDS, shall or may at the said assizes traverse the same; which Traverse shall be tried at the same or the next ensuing assizes, as the judge or judges, who shall allow the same, shall think fit; and if on such Traverse the issue shall be found for the traverser, such presentment shall be discharged, otherwise the same shall be final and conclusive to all persons.

*Sect. 10.* Provided always, that every person or persons applying for such presentment shall by

\* A like indemnification is by 20 G. 3. c. 19. § 6. extended to other injuries therein specified.

himself,



himself, herself or themselves, or by some person or persons for and on his, her, or their behalf, shall within forty-eight hours after such injury and damage done or committed as aforesaid, or within a reasonable time after he, she, or they shall be at liberty, give notice thereof unto some of the inhabitants of some town or village near unto the place, where such fact shall be committed, and shall within six days after such fact committed give notice to the high-constable of the barony, and to the church wardens of the parish, where such fact shall be alledged to have been committed (if such high constable and churchwardens shall respectively reside within such barony and parish,) who are hereby required forthwith to publish the same in the several market-towns of the barony and parish, where such fact shall be so alledged to have been committed; and that also within six days after such notice, so given as aforesaid, either the person or persons so injured shall give his, her, or their examination upon oath, or that examination upon oath shall be given by his, her, or their servant or servants, or family, who are in his, her, or their house, or who had the care of his, her, or their habitation, possession, property, goods, or chattels, before some justice of the p. of the county inhabiting within the barony where such fact shall be committed, or near unto the same, thereby specifying whether he, she, or they do know the person or persons, who committed such fact, or any of them; and if upon such examination it shall be confessed, that he, she, or they do know the person or persons, who committed the said fact, or any of them, that then he, she, or they shall be bound by recognizance to prosecute such offender or offenders by indictment or otherwise

otherwise according to the laws of this kingdom.

*Seçt. 11.* Provided also, that every presentment, to be hereafter made by virtue of this act, shall be made at the next assizes after the fact committed, and shall be read in open court; and shall not be made at any other assizes, unless such fact shall be committed so near the time of holding such assizes, that due notice cannot be given before the first day of such assizes according to the direction of this act; in which case it shall and may be lawful for the person or persons, who shall have sustained such injury or damage, to prefer his, her, or their petition, and to obtain such presentment, at the next ensuing assizes after such due notice shall be given as aforesaid.

*Seçt. 12.* Provided also, that no such presentment shall at any time be removed by *certiorari*, or the prosecution thereupon otherwise delayed than by such Traverse as aforesaid, and that, for such time only as shall be necessary for the trial of such Traverse; nor shall any such presentment be at any time quashed for any informality, imperfection, or defect in form whatsoever.

*Seçt. 13.* . . . The clerk of the crown for the county, where such presentment shall be made, shall, on request to him made, make and deliver to any person or persons desiring the same true copies signed by him of all such presentments, and of warrants for levying of any money grounded thereupon; for each of which there shall be paid to the said clerk of the crown the sum of SIXPENCE only, and no more; and such clerk of the crown is hereby required to make and deliver the same accordingly.

*Seçt. 15.* *Magistrates may search by night or by day (wherever they have reasonable cause to suspect)*  
for

*for arms or ammunition belonging to any papist, or reputed papist, and seize them for use of his majesty ; or if such arms or ammunition appear to have been taken from some subject, shall deliver them to such person ; also may examine on oath persons suspected to have concealed any arms or ammunition.*

*Sect. 17. Every person refusing to deliver or to declare such arms or ammunition as aforesaid, as they, or any with their privity, have ; or hindering, or refusing discovery ; or neglecting without reasonable cause to appear to be examined as aforesaid, shall be punished by fine and imprisonment, or by pillory or whipping, at discretion of the court.*

*Sect. 18. . . . In case any person or persons, who shall apprehend, take, prosecute, or convict, or who shall use his, her, or their endeavours to apprehend, take, prosecute, or convict, any person or persons guilty of any of the offences aforesaid, shall happen to be maimed or wounded for or on account thereof, such person or persons, SO MAIMED OR WOUNDED AS AFORESAID, shall be entitled to such reward, not exceeding the sum of 50 POUNDS, as the GRAND JURY of the county aforesaid shall with the approbation of the judge or judges of assize direct and appoint ; and in case any person or persons shall happen to be killed in the apprehending and taking, or endeavouring to apprehend and take, any offender or offenders against this act, or in making pursuit after him, her, or them, . . . then the EXECUTORS OR ADMINISTRATORS of the person or persons, to whom the right of administration of the personal estate of such person or persons so killed shall belong, shall be entitled to and receive such reward, not exceeding the sum of 100 POUNDS, as the grand jury of the county aforesaid shall with the approbation of the judge*



judge or judges of assizes direct and appoint; the said last mentioned rewards to be also raised by the presentment of the grand jury of such county, where such fact shall be committed, and to be applotted, levied, and raised in such manner as other publick money presented at the assizes shall be raised, applotted, and levied.

*Sect. 25.* . . Nothing herein contained shall be construed in any sort to repeal or alter (save as herein before mentioned) any act of parliament or law now in force relating to the offences herein before mentioned; but . . such acts and law or laws (save as aforesaid) shall remain in full force, as if this act had never been made.

*Sect. 26.* Provided, that nothing herein contained shall extend or be construed to extend, to the peaceable meetings of any number of persons for their lawful occasions, or at any fair or market, or reputed fair or market, or any customary assembly for innocent sports or recreation, not prohibited by or contrary to any law now in force.

*Sect. 27.* . . . Every clause herein contained, shall be read publickly in open court on the second day of every assizes, and the first day of every quarter-sessions of the peace, in every county of this kingdom.

*This act was originally enacted to continue till June 1778, and was by subsequent acts continued till end of session 1784, when it expired; but it was revived in session 1786 to continue till 25th March 1793, and till the end of the then next session.*

T. 18 Geo. 3. chap. 9. sect. 1.

. . When any MALE person shall at any session of oyer and terminer or gaol delivery, or at any . .  
general

general sessions of the peace, . . . be lawfully convicted of . . any . . crime, for which he shall be LIABLE . . TO . . TRANSPORTATION . . it shall and may be lawful for the court . . . if such court shall think fit, in the place of such . . transportation to order . . . that such person shall be . . kept to hard labour in . . . any . . service, for the benefit of the navigation of the . . river *Anna-Liffey* and harbour of *Dublin*, eastward of *Essex-bridge*, under the . . direction of . . . overseers, to be appointed by the justices of the p. for the co. of the city of *Dublin*, at their . . . general sessions of the peace, for the same term of years as the transportation for the said offence might by law have been adjudged, or any shorter term not less than three years, or more than ten years.

*Sect. 2.* . . . Where any MALE . . shall at any session of oyer and terminer, or gaol delivery, or at any . . general session of the peace . . . be . . convicted of any robbery or felony, . . by law . . LIABLE TO . . DEATH without . . clergy, and his m. shall . . extend . . mercy to any such offender upon condition of . . hard labour for . . ten years, or any shorter time to be specified, in the custody of such . . overseers as aforesaid, . . . it shall and may be lawful for . . the judge or justice before whom any such offender shall be convicted or condemned, to adjudge, that every such offender shall be kept to hard labour in the custody of such overseer for the time specified in the notification from the secretary, . . . viz. of the chief governor of this kingdom for the time being.

*Sect. 3.* . . . When any offender shall be ordered to . . . hard labour in manner aforesaid, or as herein after is directed, . . . the sheriff or

gaoler . . shall . . . cause him (*such offender*) to be conveyed to such place, *viz. either in the harbour of Dublin, as directed in the 1st section, or in such other places of confinement as are described in the 10th, 11th, and 13th sections*, and also . . . cause him to be delivered to such . . . overseers as aforesaid; . . . .

*Sect. 4.* . . . All expences incurred by any sheriff or gaoler in the conveyance of any such offender as aforesaid, shall be paid by the county, city, town, or place for which the court, ordering such . . . hard labour . . . shall be held; and the sheriff or gaoler shall receive the money due for such expences from the treasurer for such county, city, town, or place, by ORDER OF the JUSTICES of the p. AT their . . . general SESSION, . . .

*Sect. 10.* And whereas in many cases it might be found inconvenient to send convicts, especially FEMALES and MALES who are WEAK AND AGED, to work as aforesaid in clearing in the . . . Liffey; . . . be it enacted, . . . that where any person shall at any session of oyer and terminer, or gaol delivery, or at any . . . general session of the peace, . . . be lawfully convicted of . . . any . . . crime for which he or she shall be LIABLE by law TO TRANSPORTATION . . . it shall and may be lawful for the court, . . . if such court shall think fit, in place of such . . . transportation, to order . . . that such person shall be sent to some proper place of confinement within the said county, city, town, or place, to be appointed for that purpose in manner herein after mentioned, there to be kept to hard labour for such term of years *as described in 1st section.* . . .

*Sect.*



*Sect. 11.* . . . Where any person shall at any session of oyer and terminer, or gaol delivery, or at any . . . general session of the peace, be . . . convicted of any robbery or other felony, . . . by law . . . liable to . . . DEATH WITHOUT benefit of CLERGY, and his m. shall . . . extend . . . mercy to any such offender upon condition of . . . hard labour at the place of confinement to be appointed for that purpose in manner herein after mentioned, . . . it shall and may be lawful for every . . . judge or justice, . . . before whom such offender shall be so convicted or condemned, . . . to make an order for allowing . . . conditional pardon, . . . and may and shall adjudge that every such offender shall be kept to hard labour for the time specified in the notification from such secretary of state. \*

*Sect. 12.* . . . All expences incurred by any sheriff or gaoler in conveying such offender to the house of correction in manner aforesaid, shall be paid by the county, city, town, or place, for which the court ordering such . . . hard labour, shall be held in . . . manner as . . . directed in *section 4th*.

*Sect. 13.* . . . The justices of the p. for every county, city, town, and place, . . . shall at the first . . . general session, . . . held next after the passing of this act, take into consideration the state of their respective HOUSES OF CORRECTION, in order that proper places within the same, or elsewhere, within each respective county, city, town, and place, may be prepared for the reception of such offenders as shall be ordered to hard labour therein by force of this act, and for the purposes aforesaid, and for keeping such offenders to hard labour, and for their employ-

\* The secretary of the chief governor is the only secretary mentioned in the preceding part of this section.

ment,

ment, regulation, and government, shall give such directions, and make such orders, as such justices shall think most fit and proper, as they are authorized to give or make by the laws now in force, in respect to the houses of correction, or by any of them ; . . .

*Sect. 17.* . . . The clerk of the court *where any offender adjudged to hard labour by this act has been condemned*, and the sheriff or gaoler shall be paid by the treasurer of the co. ci. tn. or place the like SATISFACTION as hath been usually paid for the order of transportation of any offender.

*Sect. 21.* . . . Be it enacted, . . . that the GRAND JURIES of the different counties, and counties of cis. and tns. (except the co. of the city of Dublin) be authorized at the assizes to be held for their respective counties, and at the Easter and Mic. terms held in the k. b. in and for the co. of Dublin, severally to present (as in other instances they are by the laws now in force empowered) on their respective counties the sum of 5 POUNDS for each convict sent from such county, for effectually punishing by hard labour as aforesaid such offenders as are described in this act, and for their support, maintenance, cloathing, and payment, and for finding proper materials, instruments, lighters, gabbards, and other conveniencies for them to work with, and in and for the due and proper payment of the several overseers herein before mentioned ; and also for such further sum for the payment of the necessary and reasonable expences to be incurred by sheriffs and gaolers in the conveyance of offenders to the said overseers as aforesaid, not exceeding SIX-PENCE FOR EACH MILE such offender shall be conveyed.

*Sect. 22.* . . . Be it enacted, . . . that the GRAND JURY, at the general quarter sessions of the peace  
to

to be held for the co. of the city of Dublin, be authorized to present (as in other instances they are by the laws now in force impowered) on the county of the said city of Dublin such reasonable sums of money, as together with said 5 POUNDS for every convict as aforesaid, they shall think expedient and necessary for effectually punishing by hard labour as aforesaid such convicts as are described in this act, and for their support, maintenance, cloathing, and payment, and for finding proper materials, instruments, lighters, gabbards, and other conveniencies for them to work with, and in and for the . . payment of the several overseers herein before mentioned, and in general for the carrying the purposes . . . of this act into execution.

*Sect. 23.* And, be it enacted, . . that the GRAND-JURIES of the different co. and co. of cis. and ts. be authorized, at the assizes, and general gaol delivery to be held for their respective co. and at the general quarter sessions of the peace to be held for the co. of the city of Dublin, and at the Easter and Michaelmas term held in the k. b. in and for the co. of Dublin, severally to present (as in other instances they are by the laws now in force impowered) on their respective counties such REASONABLE SUMS of money as they shall think expedient and necessary for providing, maintaining, and regulating the houses of correction already, or which shall hereafter be established in their respective counties, and to which such convicts shall hereafter be committed to hard labour.

*N. B. This act was originally enacted for only two years, &c. but continued by subsequent acts till 24th June 1790, and till the end of the then next session.*



T. 18 Geo. 3. chap. 13. sect. 39.

... Be it . . . enacted . . . that the GRAND JURIES of the different counties may be impowered to grant by presentment, to be levied on the county at large, any sum not exceeding 10 POUNDS *per annum* to the clerk of the commissioners of array for the militia. See sect. 1st and 4th.

Sect. 43. . . If any non-commission officer of the militia, or private militia-man, shall in suppressing insurrections, or outrageous assemblies, or in pursuing, apprehending, or guarding any notorious offender, in pursuance of this act, be maimed or wounded, he shall be equally entitled to the benefit of Kilmainham hospital, with any non-commission officer or private soldier in his m's regular forces, under the like circumstances; and that if any non-commission officer of the militia, or private militia-man, shall in any of said last services be killed, leaving a widow, or a child or children under age, it shall and may be lawful for the GRAND JURY of the county, wherein such non-commission officer or private man shall be so killed, AT the NEXT ensuing ASSIZES after such killing, to present such sum or sums of money not exceeding 20 POUNDS, for the widow, child or children of such non-commission officer, or private man, as to such grand jury shall appear reasonable; which presentment . . . is . . . to be raised and levied in such manner as other presentments are raised and levied; and that the child or children of the person so killed, under the age of ten years, shall, if the said grand jury shall so direct it, and the surviving parent, or next relation of such child or children shall so require it, be received

ceived and educated, clothed, and maintained for the usual time in the next protestant CHARTER-SCHOOL, upon producing a certificate from the treasurer of the county where such presentment was made to the master of such school, that said child or children is, or are by the means aforesaid entitled to the education, cloathing, and maintenance, provided for orphans in the said school.

*Sect. 44.* . . This act, and every clause and proviso therein contained, shall extend to all counties of cities, and counties of towns, . . .

*N. B.* This act is continued to 24th June, 1790, and till the end of then next session.

18 Geo. 3. chap. 22. sect. 1. . . . It shall and may be lawful for the GRAND JURIES of the severall counties, and co. of cs. and co. of ts. by presentment to grant such sum or sums of money, as they shall think necessary, on such counties for the repairing of any bridge in such counties, co. of cs. and co. of ts. although no plan of the work to be done, to \* be annexed to the affidavit upon which such presentment is grounded, and also for the grand juries of such counties to grant such sum or sums of money, as they shall think necessary, for the making or repairing of any road in such counties on any barony or half barony in which such roads are situated, although the presentment should be for a smaller number of perches, or for a smaller sum, than is sworn to in the affidavit, upon which such presentment is grounded, and for the judge of assize to confirm such presentment.

*Sect.*

\* The word to seems to be inserted here by mistake.

*Sect. 3.* It shall be lawful for the GRAND JURY of any county, by presentment, to raise such sum or sums of money, as they shall think necessary, upon any barony or half barony in such county for making, widening, and deepening drains on each side of any publick road in such barony or half barony, which has been or shall be made through a bog, and for carrying off the water that may injure such road: provided such sum shall not exceed the sum of TWELVE-PENCE for each perch of such drain, and for paying wages to the overseer appointed for such work, not exceeding 1 SHILLING for each pound to be expended by such overseer.

*Sect. 4.* Provided always, that no sum of money shall be so presented, unless it shall appear by affidavit, sworn by two credible persons, who can read and write, before any two justices of the p. for such county, that the sum therein required is a reasonable charge, and that the work is necessary, and cannot be effectually executed for a smaller sum, to the best of their judgment; and that no sum of money shall be paid by the treasurer of any county on account of any such presentment, until it shall appear to the GRAND JURY and to the judge of assize by the affidavit of one of the overseers appointed for such work, who can read and write, sworn before one of the judges of assize, that the said sum so accounted for hath been faithfully and honestly expended in the execution of the work, for which such sum of money was granted by such presentment, to the best of his skill and judgment.

*Sect. 6.* And whereas by 33d G. 2. c. 8. s. 14. it is enacted, that “ if it shall appear to any judge upon due proof by two substantial witnesses



" nesses upon oath at any assizes, within one  
 " year after any query on a presentment for any  
 " highway or bridge has been discharged, that  
 " said court was deceived or imposed upon  
 " by any affidavit for discharging such query,  
 " and that the road or bridge were not made  
 " or built pursuant to the presentment for the  
 " same, the judge of assize may, notwithstanding  
 " such query was discharged, issue process in  
 " such case against the overseers mentioned in  
 " such presentment, as if the said query had  
 " never been answered : " \* . . Be it enacted,  
 " . . that the time allowed for issuing process upon  
 " such query as aforesaid, may be enlarged . . .  
 " to the term of two years instead of the term  
 " of one year.

Sect. 7. . . Any justice of the p. who shall  
 have a freehold estate of 100 POUNDS *per ann.*  
 in any barony or baronies in the COUNTY OF  
 DOWNE, shall be empowered on view to abate  
 all nuisances, to remove all encroachments on  
 any of the roads in SUCH BARONY or baronies in  
 said counties, † wherein he shall have such freehold  
 estate of 100 POUND *per annum*, and have the  
 same power and authority to proceed to the  
 abatement of such nuisances or encroachments,  
 as the laws do now give to any justice on com-  
 plaint being made to him of any nuisance; and  
 that the several church-wardens of every parish  
 in said county of Downe shall be overseers of the  
 roads to prevent encroachments and nuisances  
 on the same, and shall have the same powers and

\* That statute was repealed before this act was made, but  
 the substance of the clause here alluded to had been re-enacted  
 by 14 Geo. 3. c. 32. in almost the same words.

† *Counties* seems to be an error instead of *county*.

authorities within their respective parishes, that the overseers or sub-constables appointed by the **GRAND JURY** of any other county have by the act aforesaid; and that no money shall be presented or raised off any barony or parish in said county for the payment of any such overseer for his or their trouble in executing such office.

*Sect. 8.* . . The **GRAND JURIES** of the counties of Antrim, Donegall, Downe, Kerry, Kildare, King's-county, Limerick, Wicklow, and city and county of Londonderry, at each assizes for said counties shall have full power and authority to enter into any contract or agreement by the year with any person or persons for keeping any part or proportion of the publick roads of said county, that have been heretofore made or repaired by presentments, in sufficient order and repair for any space of time not exceeding four years; which contract or agreement shall be signed by the parties, with whom the grand juries of said counties shall make the same, and shall be delivered over to the clerk of the crown, to be by him kept with the records of the said counties; and that the grand juries of said counties shall have full power and authority to present any sum of money to be levied and raised off the inhabitants of the respective baronies or half baronies in said counties, to be paid to the person or persons with whom they shall make such contract or agreement; provided the same shall not exceed the sum of **TWO-PENCE HALF-PENNY** by the perch of road so to be kept in repair, and so for a greater or lesser proportion of road. \*

\* By 20 G. 3. c. 18. the powers given in this section are enlarged and extended to all counties, except the co. of Dublin, and co. of ci. of Dublin, and similar powers are extended to those two by 26 Geo. 3.

*Sect. 9.* Provided nevertheless always, that no part of the money so presented shall be paid by the treasurer of said county, until such contractor or contractors shall make affidavit before the judge of assize, that such proportion of road is at that time in sufficient order and repair, and until such affidavit shall be allowed and passed by the then GRAND JURY and judge of assize.

*Sect. 10.* . . It shall and may be lawful for the GRAND JURY of each county, at any assizes held for the same, to present to be raised on the county at large any sum or sums of money, not exceeding in the whole the sum of 100 POUNDS for each one hundred thousand acres contained in such county according to the county books, or the usual computation thereof, and so in proportion for any less quantity, for the obtaining an accurate survey and map thereof; such map when finished to be deposited and kept by the treasurer of such county among the records thereof; and that said presentment may be made without any affidavit or estimate of the probable expence thereof being previously laid before them.

*Sect. 11.* Provided always, that no money shall be paid on account of any such presentment or presentments, until the said survey shall be finished, and map delivered to the treasurer, and approved of by the GRAND JURY, unless sufficient security shall be given to the treasurer, and approved of by the grand jury, by the surveyor or surveyors for the completing said survey, and delivering said map on the terms and within the time specified in such security; in which case it shall and may be lawful for the grand jury from time to time to direct the treasurer to pay any sum, not exceeding  
two



two third parts of the money presented to such surveyor or surveyors to enable him or them to proceed in making such survey, before such survey shall be actually finished.

*Seet. 12.* . . If any justice of the p. or any other person, shall demand or take any sum of money or any reward for swearing any affidavit directed to be made by the act for amending the publick roads, or by this act ; every such justice of the p. or other person so offending, shall forfeit the sum of 5 POUNDS to the prosecutor or informer, to be recovered by any person who shall sue for the same by civil bill.

*Seet. 13.* Provided always, that nothing herein contained shall extend to the county or the co. of the city of Dublin, except so far as relates to empower GRAND JURIES to grant presentments for making maps or surveys of counties.

*Seet. 15.* . . Every GRAND JURY CESS shall be paid by the person or persons occupying the land at the time such cess is levied thereout, though such person or persons did not occupy the same when the cess was imposed.

18 Geo. 3. chap. 28. *seet. 1.*

. . . The several justices of the p. . . within their several jurisdictions in their quarter-sessions assembled, are . . empowered to order the walls and ceilings of the several cells and wards both of the debtors and the felons, and also of any other rooms used by the prisoners in their respective gaols and prisons, to be scraped and white-washed once in the year at least, and as often as to them shall seem meet, and to be regularly washed and kept clean, and constantly supplied with fresh air by means of hand ventilators,  
or

or otherwise to order two rooms in each gaol or prison, one for the men and the other for the women, to be set apart for the sick prisoners, directing them to be removed into such rooms as soon as they shall be seized with any disorder, and kept separate from those who shall be in health, to order a warm and cold bath, or commodious bathing tubs, to be provided in each gaol or prison, and to direct the prisoners to be washed in such warm or cold baths or bathing tubs, according to the condition in which they shall be at the time, before they are suffered to go out of such gaols or prisons upon any occasion whatever; to order the requisitions of this act to be painted in large and legible characters upon a board, and hung up in some conspicuous place of each of the said gaols and prisons, and to appoint an experienced surgeon or apothecary at a stated salary, not exceeding 10 POUNDS *per annum*, to attend each gaol or prison respectively; who shall be directed to report to the said justices, by whom he is appointed, at each quarter sessions a state of the health of the prisoners under his care or superintendence.

*Seet. 2.* . . The said justices of the p. in their said quarter-sessions assembled *are* authorized to direct the several courts of justice within their respective jurisdictions to be properly ventilated, to order cloaths to be provided for the prisoners when they see occasion, to prevent the prisoners from being kept under ground, whenever they can do it conveniently, and to make such other orders from time to time for restoring or preserving the health of prisoners, as they shall think necessary.

*Seet. 3.* . . The GRAND JURIES of each and every county, or co. of a ci. or co. of a tn. in this

this kingdom shall have power, and are required, from time to time to present such sum or sums of money, as shall be necessary, to be raised in such county in the usual manner to pay the expences of carrying this act into execution ; . . .

20 Geo. 3. chap. 18. sect. 1.

. . . The GRAND JURIES of the several counties, co. of cis. and co. of ts. (except the co. of Antrim) at each assizes for their respective counties shall have full power and authority to enter into any contract or agreement with any person or persons for keeping any part or proportion of the publick roads of their respective counties, that have been heretofore made or repaired by presentment, or shall hereafter be made or repaired by presentment in sufficient order and repair for any . . time not exceeding seven years ; which contract or agreement shall be signed by the parties, with whom the grand juries of said counties shall make the same, and shall be delivered over to the clerk of the crown, to be by him kept with the records of the said counties ; and that the grand juries of said counties shall have full power and authority to present any sum of money to be levied and raised off the inhabitants of the respective baronies or half baronies in said counties, and of the respective co. of cis. and co. of ts. to be paid to the person or persons with whom they shall make such contract or agreement ; provided the same shall not exceed the sum of THREE-PENCE by the year for each perch, plantation measure, of road so to be kept in repair, and so for a greater or less proportion of road.

Sect. 2. Provided always, that no part of the money so presented shall be paid by the treasurer of said county, until such contractor or contractors



tors shall make affidavit before the judge of assize, that such proportion of road is at that time in sufficient order and repair, and\* until such affidavit shall be allowed and passed by the then GRAND JURY and judge of assize.

*Sect. 3.* . . . It shall and may be lawful for the GRAND JURIES of the co. of Antrim at their respective assizes, if they shall judge it fit and proper, and not otherwise, to enter into any contract or agreement with any person or persons for keeping any part or proportion of the publick roads in said county in repair in the manner prescribed by this act, provided the same shall not exceed the sum of NINE-PENCE by the year for each perch, plantation measure, of road so to be kept in repair, and so for a greater or lesser proportion of road.

*Sect. 4.* Provided always, that nothing herein contained shall extend to the county, or the co. of the city of Dublin.

20 Geo. 3. chap. 19. *sect. 1.*

. . . All and every sort of combinations in trade as well among master-manufacturers as among journeymen are PUBLICK NUISANCES, and ought to be suppressed.

*Sect. 2.* . . . The following acts shall be considered as evidences of unlawful COMBINATION, and sufficient for the conviction of any person who shall be guilty of the same, viz. *here follows the enumeration of them, but is not inserted here, because the GRAND JURY, is (by sect. 7) REQUIRED, to present pursuant to the directions of the judge.*

\*The word, *and* is necessary here to make the meaning plain.

K

*Sect.*

*Sect. 5.* . . If any person shall by day or by night break into any house or shop, or enter by force into any house or shop, with intent to cut or destroy any manufacture . . . made within this kingdom for publick sale, or any tools employed in the making thereof, or shall wilfully or maliciously cut or destroy any of the said manufactures, or shall wilfully and maliciously break or destroy any tools used in the making of the same, or shall so break or destroy any mill, engine, or device for the making or perfecting, or to be employed in any manufacture, or shall aid, assist, or abet any person concerned therein, or shall so break, injure, or destroy any such manufactures on any highway or road (or at any publick house or inn) where the same may be carried towards the city of Dublin, or the port thereof, or any other port or place for consumption, or for exportation, not having the consent of the owner so to do, or shall wilfully and maliciously maim or wound any person concerned in carrying on any manufacture on account of his working at or being concerned in the same, or any person concerned in using, carrying, or protecting any of the said manufactures, or any such mill, engine, or device, or shall in consequence of any combination, or the breach of any order, rule, or regulation of the same, horse, colt, carry in procession, wound or maim, or endanger the life of any journeyman, apprentice, or other person employed in any manufacture, every such offender being thereof lawfully convicted, shall suffer death as in cases of felony without benefit of clergy.

*Sect. 6.* . . Whereas it has frequently happened of late years, that several persons as well by night as in the day time have in a riotous, disorderly,

orderly, and tumultuous manner assembled themselves, and have taken on themselves to obstruct the erecting, or making, or working of gigg mills, swivel looms, and other machines, engines, and devices, for the cheaper, more expeditious, and better finishing of manufactures, whereby the poor manufacturers of this kingdom (disabled from working on the same terms with their rivals in other countries) are disqualified from reaping the benefits of a free trade in foreign markets; and such persons have also taken on themselves to destroy or damage such gigg mills, swivel looms, and other machines, engines, and devices, as also the goods or manufactures made in the same, and the materials collected for working therein, and have also at other times presumed to destroy woollen cloths and blankets, beef and pork barrels, and other goods of a like nature, when brought or bringing into the city of Dublin, on account that the same had not been made in the city of Dublin or the suburbs thereof, and have also destroyed yarn, and other productions of this country for exportation or consumption, or to be wrought up or made use of in some other manufacture: In order to prevent for the future such outrages and offences, and to interest all orders of men in the preservation of the publick peace, and the protection of private property, be it enacted by the authority aforesaid, that satisfaction and amends may be made in manner hereinafter mentioned, to all and every person, his, her, or their executors or administrators, for all and every injury and damage, which shall be done or committed against his, her, or their person or persons, habitations, possessions, property, goods, or chattels, by any offender or offenders against



this act, or in any of the particulars herein before mentioned; and that any person or persons, his, her, or their executors or administrators, who shall sustain any injury, loss, or damage, by any of the offences herein before mentioned, may sue for and recover satisfaction and amends for the injury, loss, or damage, incurred or suffered as aforesaid, at the next assizes to be held for the county where such offence was committed, or if in the co. of Dublin at the next presenting term, (or if in the city of Dublin at the next quarter-sessions for the said city) by exhibiting to the judge or judges of assize (or to the court of k. b. for the said co. of Dublin, or to the recorder of the city of Dublin, if at such quarter-sessions) his, her, or their petition, praying such satisfaction and amends for the injury, loss, or damage sustained as aforesaid, and therein setting forth particularly the injury or damage done to his, her, or their person, habitation, property, goods, or chattels, and the particular value thereof, by what number of persons, he, she, or they believe, such injury or damage was done or committed, with the names or descriptions of such of said offenders as he, she, or they shall know, and such particular description of such others of them as he, she, or they can give; and the matter thereupon shall be examined by such judge or judges of assize, or court of k. b. or recorder, in open court in the presence of the GRAND JURY impannelled and sworn at such assizes or presenting term or sessions, on the oath of the party assaulted or injured as aforesaid, and such other evidence as can be produced touching the said offences according to the nature thereof; and if on consideration of the matter such judge or judges of assizes shall be of opinion, that the person

person or persons preferring such petition hath or have fully proved the several matters aforesaid, and the value of the injury or damage sustained as aforesaid, so as to entitle him, her, or them to satisfaction and amends, the said grand jury shall thereupon and they are hereby required pursuant to the directions of such judge or judges as aforesaid, to present such sum or sums of money, as the person or persons so assaulted or injured in his, her, or their person, habitation, possession, property, goods, or chattels, ought in their opinion to have and receive for the loss, injury, or damage by him, her or them sustained as aforesaid, to be raised either on the county, co. of a ci. or tn. barony, town or towns, parish or parishes, in or near which such offence shall have been committed, and in such proportions as they shall think fit; which sums so presented as aforesaid, shall be applotted, levied, and raised by such ways and means, and in such manner and form, as other publick money presented at the said assizes, or presenting term, or sessions, shall be applotted, levied, and raised within such county or city pursuant to the laws now in force.

*Sec. 7.* Provided, that if any person or persons shall find himself, herself, or themselves aggrieved by any presentment to be made in pursuance of this act, such person or persons, in case the sum so presented do exceed the sum of 5 Pounds, shall or may at the said assizes, or presenting term, or sessions, traverse the same; which Traverse shall be tried at the same or the next ensuing assizes, presenting term, or sessions, as the judge or judges, who shall allow the same, shall think fit; and if on such Traverse the issue shall be found for the traverser, such

presentment

presentment shall be discharged, otherwise the same shall be final and conclusive to all persons.

*Sec. 8.* Provided always, that every person or persons applying for such presentment shall by himself, herself, or themselves, or by some person or persons for or on his, her, or their behalf, within forty eight hours after such injury or damage done or committed as aforesaid, or within a reasonable time after he, she, or they shall be at liberty, give notice thereof unto some of the inhabitants, or some town or village, or street, near unto the place where such fact shall be committed, and shall within six days after such fact committed, give notice to the high constable of the barony, and to the church-wardens of the parish, where such fact shall be alledged to be committed (if such high constable and church-wardens shall respectively reside within such barony and parish) who are hereby required forthwith to publish the same in such barony or parish where the same shall be so alledged to have been committed; And that also within six days after such notices, so given as aforesaid, either the person or persons so injured shall give his, her, or their examination upon oath; or that examination upon oath shall be given by his, her, or their servant or servants, or family, or other person or persons employed by them, who were in his, her, or their house, or who had the care of his, her, or their habitation, possession, property, goods, or chattels, before some justice of the p. inhabiting within the said county or city, where such fact shall have been committed, or, if the same shall be committed in any city, co. of a city, or town corporate, before the chief magistrate or some alderman, or justice of the p. of the same, thereby specifying whether he or she do know the



the person or persons who committed said fact, or any of them, and if upon such examination it shall be confessed, that he, she, or they do know the person or persons, who committed said fact, or any of them, then he, she, or they shall be bound by recognizance to prosecute such offender or offenders by indictment or otherwise according to the laws of this kingdom.

*Sect. 9.* Provided also, that every presentment, hereafter to be made by virtue of this act, shall be made at the next assizes, or presenting term, or sessions after the fact committed, and shall be read in open court, and shall not be made at any other assizes, or presenting term, or session, unless such fact shall be committed so near the time of holding such assizes or presenting term or sessions, that due notice cannot be given before the first day of such assizes, or presenting term, or sessions, according to the direction of this act; in which case it shall and may be lawful for the person or persons, who shall have sustained such injury or damage, to prefer his, her, or their petition, and to obtain such presentment at the next ensuing assizes, or presenting term, or sessions, after such due notice shall be given as aforesaid.

*Sect. 10.* Provided also, that no such presentment shall at any time be removed, or the prosecution thereon otherwise delayed, than by such Traverse as aforesaid, and that for such time only as shall be necessary for the trial of such Traverse; nor shall any such presentment be at any time quashed for any informality, imperfection, or defect in form whatsoever.

\* A more speedy and more effectual mode of obtaining compensation is provided by 24 G. 3. c. 20. for all damages sustained by any offences, (except combinations) which are made punishable by this act.

20 Geo. 3. chap. 37. sect. 1.  
 . . . The inhabitants of every barony or county, or, in cases of uncertainty as to the place, the inhabitants of both contiguous baronies or counties, shall make full satisfaction for all malicious burning of houses, barns, haggards, corn, or other articles or effects, by any person or persons whatsoever, to the party or parties injured, on the terms and conditions specified in the 7 Will. 3. chap. 21. and also in the 9 Will. 3. c. 9. the same to be paid INDISCRIMINATELY BY protestants, papists, and ALL THE INHABITANTS of such county and barony in proportion to their respective properties, the said statutes of 7th and 9th Will. 3. or any other law or statute to the contrary notwithstanding.

Sect. 2. . . Where the damages shall not exceed 100 POUNDS sterling, the inhabitants of the barony, (or in cases of uncertainty of the contiguous baronies) wherein the said facts shall be committed, and not of the counties at large, shall make satisfaction for the same as aforesaid; but where the damages shall exceed such sum of 100 POUNDS, then and in such case only, the inhabitants of the county, (or, in cases of uncertain situations, of the contiguous counties at large,) shall make satisfaction for the same; the said statutes of 7 or 9 Will. 3. or any other law, statute, or usage, to the contrary notwithstanding.

Sect. 3. . . Every person so damnified may sue for and recover their damages under the said acts of 7th and 9th Will. 3. (with the differences however herein before set forth) upon their, or his, or her giving such notice, and making such examinations as in said acts are mentioned, at any time

time within six days, after such damage or injury done them in manner aforesaid, the said statutes of 7th and 9th of Will. 3. or any law, statute, or usage, to the contrary notwithstanding.

20 Geo. 3. chap. 41. sect. 1.

Every GRAND JURY of any county, or co. of a ci. or co. of a tn. at any assizes to be holden for the same may receive from any person or persons, willing to build any bridge or bridges over any river or water in such county, or co. of a ci. or co. of a tn. any proposal or proposals for building such bridge or bridges without any expence to such county, or co. of a ci. or co. of a tn. and the plan or plans of the same, with a full and particular estimate of the expence of building the same, and also a schedule of the tolls intended to be raised, if such bridge or bridges should be thereafter erected in pursuance of this act.

Sect. 2. A copy of every such proposal, estimate and schedule of tolls shall be affixed ten days previous to the first day of such assizes, on which the same are intended to be laid before the GRAND JURY, on the door of the publick Court-house, where the assizes for such co. or co. of a city, or co. of a tn. are usually holden, and shall also be served on the treasurer and high sheriff or high sheriffs of every such county, or if in the co. of Dublin ten days before the first day of each presenting term, the said proposal to be delivered to the treasurer of said county, or if in the co. of a city on the chief magistrate and sheriffs of such co. of a city at the assizes next preceding the assizes at which any presentment shall be made pursuant; and the foreman of the grand jury at such preceding assizes shall certify, that  
the



the said plan, estimate, schedule of tolls, or other matters relative to building such bridges, was considered and approved of by such grand jury, in order thereby to render the notice of such intended application as extensive and general as possible.

*Sect. 3.* Any GRAND JURY receiving such proposal, plan, estimate, and schedule of intended tolls certified as aforesaid, shall deliberate upon and approve or reject the same, as they shall think proper, or make such a reduction in the proposed intended tolls, as they and the person or persons presenting such proposal or proposals shall agree and determine upon; and if they as trustees for the publick, and the person or persons presenting such proposal or proposals, shall agree on the several articles of the plan, estimate, and tolls, that then it shall and may be lawful for such grand jury to make a presentment, and for the judge of assize to confirm the same, for such bridge or bridges to be built as aforesaid; and to annex to their presentment a schedule of the tolls so agreed on to be granted to the person or persons so building the said bridge or bridges, and his, her, or their heirs and assigns for ever.

*Sect. 4.* Allows every person affected by such bridge, if they or any of them shall think themselves aggrieved thereby, to traverse such presentment, at the said assizes, or at the next assizes; and if such presentment shall be confirmed, or such Traverse shall not be then tried, then such presentment shall be fully established.

*Sect. 5.* No presentment shall be made in pursuance of this act for any bridge, the expence of erecting which shall not at the least amount to the sum of 500 POUNDS sterling; and no tolls shall be taken for passing any such bridge, until an affidavit shall be sworn before one of the judges

judges of assize, or before the justices of the p. at a general quarter sessions of such county or co. of a city or town, in which such bridge shall be so built, by the architect of said bridge, or by some person employed under him in keeping the account of the expences of building the same, or by the person or persons at whose expence such bridge shall be so built, in which affidavit shall be sworn, that such bridge is so far finished and compleated as to admit the safe and easy passage of cattle and carriages, and that the expence of building the same hath amounted to the sum of 500 POUNDS at the least, specifying the particular sum according to the knowledge and opinion of the person or persons so making the said affidavit to which the said expences shall have amounted, and until such affidavit be deposited with the clerk of the crown if sworn at the assizes, or clerk of the peace if sworn at the sessions of such county, or co. of a city or town, in which such bridge shall be so built as aforesaid.

*Sect. 6.* . . In no case whatsoever shall any tolls be presented by any GRAND JURY in pursuance of this act, which shall exceed the following sums respectively, that is to say, for every coach, berlin, chariot, calash, chaise, or chair drawn by six horses, geldings, mares, or mules, the sum of 1s. 6d.; for every coach, berlin, chariot, calash, chaise, or chair drawn by any lesser number of horses, geldings, mares, or mules than six, or more than two, 1s.; for every coach, berlin, chariot, calash, chaise, or chair drawn by two horses, geldings, mares, or mules, 6d.; for every carriage, commonly called a chaise or chair, drawn by one horse, gelding, mare, or mule, 3d.; for every waggon, wain,

wain, or car with four wheels, 2 s.; for every waggon, wain, or car with two wheels, drawn by more than two horses, geldings, mares, mules, or oxen, 1 s.; for every waggon, wain, or car with two wheels, drawn by two horses, geldings, mares, mules, or oxen, 6 d.; for every car or other carriage drawn but by one horse, gelding, mare, or mule, 2 d.; for every horse, gelding, mare, mule, or ass, laden or unladen, and not drawing, 1½ d.; for every Drove of oxen, cows, or neat cattle, the sum of 1 s. 8 d. per score, and so in proportion for any greater or lesser number; for every Drove of calves, hogs, sheep, or lambs, the sum of 5 d. per score, and so in proportion for any greater or lesser number; and for every man, woman, or child, one halfpenny.

*Sect. 8. Directs that a copy of the entire presentment of the GRAND JURY, and of the schedule of tolls, shall be painted or carved in large letters on a board or stone, to be affixed on every such bridge near the toll-gate, under a fine of 20 SHILLINGS.*

*Sect. 10. . . No bridge shall be erected in pursuance of this act on any river or water within one mile of any established and lawful ferry over such river or water without the consent of the owner or owners of such ferry under his, her, or their hand and seal first had and obtained; and in such case such consent shall be recited specially in the presentment, which shall be made in pursuance of this act.*

*Sect. 11. . . If such bridge shall extend into more than one county, it shall be necessary to obtain such presentment and to make such affidavit, as is herein already mentioned, in each of such counties, before any toll shall be levied or paid in pursuance of this act.*

*Sect.*



*Sect. 12.* . . At any time after the expiration of forty-one years from the compleating and opening of any bridge to be built in pursuance of this act, it shall and may be lawful for the GRAND JURY of the county, in which such bridge shall be situated, or if situated in two counties, then for the grand juries of the said counties, to redeem the tolls so presented as afore said by paying in one sum to the person or persons, who shall then be the owner or owners of said tolls, the original sum expended in building such bridge, with any deficiency of interest which may arise, in case by the perception of the tolls the person or persons entitled to the said tolls shall not have received from time to time, above all necessary costs and charges of repair and receipt of said tolls, the legal interest at the least for the money at first expended in building and erecting such bridge; and on such payment of the original sum so expended, and of such deficiency if any there shall be, then the said toll shall cease, and the passage of such bridge shall be open and free to all cattle, carriages, and persons whatsoever.

*Sect. 13.* And . . the said GRAND JURY or grand juries of the county or counties respectively, as the case may happen, may be empowered to raise by presentment on such county or counties at large, if they shall think it of advantage to the county so to do, such sum or sums of money as may be sufficient to discharge such sum so expended and disbursed, with interest thereof to the person or persons who have built or erected bridges, in manner as afore said, subject to such Traverres as afore said.

20 Geo. 3. chap. 50. sect. 6.

... It shall and may be lawful to and for the GRAND JURY of every county to call every . . . treasurer of every turnpike road in such county, (except the road from Dublin by Dunleer, Dundalk, and Newry to Banbridge, and the road from Dublin to Kinegad and Mulingar,) before them, and to examine him upon oath, first sending him to one of the judges to be sworn, touching the state of the said road, and all matters whatsoever relative to the tolls, rents, debts and credits of the same; and if it shall appear to the said grand jury by an affidavit to be sworn before one of the judges of assize for the said county, that any part of the said road is in bad repair or condition, and that the money remaining in the treasurer's hands is sufficient for repairing the said part of the said road, or that the rents reserved for the said tolls will be sufficient for repairing the same, within a certain time, to be ascertained by the said grand jury, that in every such case it shall and may be lawful to and for the said GRAND JURY to make a presentment, that the said treasurer shall within a certain time to be mentioned in such presentment, cause to be repaired such parts of the said road, as shall be described in the said presentment; and that in case the judge of assize shall seal the said presentment, that the said treasurer shall be bound to cause the said road to be repaired pursuant to the said presentment.

22 Geo. 3. chap. 24. sect. 5.

No popish ecclesiastick who hath hereto-

*Extracts from this act, and from the 26th and 62d caps. of 22 Geo. 3. are inserted in this collection, because, though Grand Juries be not mentioned in them, yet their duties may be affected by them, particularly in the observance of what is enacted by 6 Anne, c. 6. s. 5. and 8 Anne, c. 3. s. 20.*

fore

fore taken and subscribed, or who shall hereafter take and subscribe the oath of allegiance and declaration prescribed by 14 *C. 3. chap. 34.* in the manner and form as herein after is particularly specified and set forth, and who shall register his christian and surnames, place of abode, age, and parish, if he have a parish, and the time and place of his receiving his first, and every other popish orders, and from whom he received them, with the register of the diocese where his place of abode is . . . shall . . . be subject to any of the penalties, incapacities, or disabilities, mentioned in 9 *Will. 3. c. 1.* or in 2 *Anne, c. 7.* or in 2 *Anne, c. 6.* or in 2 *Anne, c. 3.* or in 4 *Anne, c. 2.* or in 8 *Anne, c. 3.*

*Secl. 6.* Provided always, that no benefits in this act contained shall extend, or be construed to extend, to any regular of the popish clergy, who shall not be in this kingdom at the time of passing this act, or to any regular of the said clergy then in this kingdom, who shall not have taken and subscribed the said oath, and registered his names and additions, in form and manner as herein directed, six months after the passing of this act, not to any popish ecclesiastick, who shall not upon his change of place of abode, or of popish orders or removal from the parish which he had so returned, and as often as it shall so happen, make a return of such change or removal within six months after it shall happen, to the then register of the diocese where he had originally registered his names and additions as aforesaid; any thing contained in this act to the contrary in any wise notwithstanding.

*Secl. 8.* Provided always, that no benefits in this act contained shall extend, or be construed to



to extend, to any popish ecclesiastick who shall officiate in any church or chapel with a steeple or bell, or at any funeral in any church or church-yard, or who shall exercise any of the rites or ceremonies of the popish religion, or wear the habits of their order, save within their usual places of worship, or in private houses, or who shall use any symbol or mark of ecclesiastical dignity or authority, or assume or take any ecclesiastical rank or title whatsoever, but that all the pains and penalties which now subsist according to the laws now in being, shall remain in full force against such popish ecclesiastick so offending as aforesaid; any thing herein contained to the contrary thereof in any wise notwithstanding.

*Sect. 9.* Provided also, that nothing in this act contained shall be construed to extend to any person or persons who shall be perverted from the protestant to the popish religion, but that all the pains, penalties, and disabilities, which now subsist, according to the laws now in being, shall remain in full force against such protestant so perverted; any thing herein contained to the contrary thereof in any wise notwithstanding.

*Sect. 10.* Provided also, that no benefits in this act contained shall be construed to extend to any popish ecclesiastick, who shall procure, incite, or persuade any protestant to become a papist; but that all the pains and penalties which now subsist according to the laws now in being, shall remain in full force against such popish ecclesiasticks so offending as aforesaid; any thing herein contained to the contrary thereof in any wise notwithstanding.

*Sect.*

*Sect. 16.* Provided also, that no benefit herein contained shall extend, or be construed to extend to any person who hath not heretofore, or who shall not hereafter before the accruing of such benefit to such person or persons, being of the age of twenty-one years, or who being under the age of twenty-one years, shall not within six months after he or she shall attain the age of twenty-one years, or being of unsound mind, or in prison, or beyond the seas, or under coverture, then within six months after such disability removed, take, and subscribe the oath of allegiance and declaration prescribed by 14 G. 3. c. 34. in some one of his m's. four courts in Dublin, or at the quarter-sessions of the peace for the co. of Dublin, or before any of the going judges of assize in open court; . . . . .

22 Geo. 3. chap. 26.

*Sets forth certain requisites, the due performance of which entitles every person desirous of CONFORMITY from the popish to the protestant religion to be deemed a protestant of the church of Ireland.*

22 Geo. 3. chap. 28. sect. 1.

. . . It shall and may be lawful for any arch-bishop by and with the approbation and consent of the patron and school-master, and for any bishop by and with the consent and approbation of the arch-bishop of the province, and of the patron and school-master, to change the scite of any . . . school-house, (*erected in pursuance of the laws made in this kingdom for the erecting and regulating free-schools*) to a more convenient place within their respective diocese.

*Sect. 2.* Provided always, that such arch-bishop or bishop shall previous to such change procure a conveyance, grant, or demise, for a term not less than nine hundred and ninety-nine years, to himself and his successors, of the ground to which such school-house shall be removed, at the rent of one pepper-corn, in trust for the erecting of such school.

*Sect. 3.* . . . It shall and may be lawful to and for the GRAND JURY of each county, and co. of a city, or co. of a town within such diocese, from time to time, to present such sum or sums of money as they shall find reasonable for building and repairing such school-house and offices, and for providing proper accommodations for the same; which sum and sums so presented, the presentment being confirmed by the court, shall be levied in the manner directed by the acts made in this kingdom for the more effectual erecting, and better regulating of free schools.

T. 22 *Geo. 3. chap. 36. sect. 19.*

. . . A list of all bounties which shall have been paid for the carriage of corn, meal, malt, and flour, to the city of Dublin, from each co. shall be sent to the treasurer of every such county respectively, which list shall specify the names and residence of the several owners, the names of the magistrates certifying, and of the carriers, together with the quantities of such corn, meal, malt, and flour, the place of its growth or manufacture, and the distance from his m's. castle of Dublin to the place where such corn grew, or malt, meal, or flour was made, and the date of the certificate, and the amount of the bounty claimed or paid; and which list shall be so sent by the paymaster (or by the examiner) of the



the corn premiums, if the said \* commissioners, or any three of them, shall direct the examiner so to do, ten days before each spring and summer assizes in every year, to the treasurers of the several counties as aforesaid, to be by them laid before the respective GRAND JURIES, and afterwards filed and kept open at all times without fee or reward for the inspection of every person, each such list to contain only the particulars relating to the corn, meal, malt, or flour, of the growth or manufacture of, or carried from, or belonging to some person within the county to which such list shall be sent as aforesaid. †

22 Geo. 3. chap. 42. sect. 1.

All and every the judges of assize and general gaol delivery, are hereby directed and required to give the . . . acts 3 G. 3. c. 28. and 18 G. 3. c. 28. in charge to the GRAND JURIES of the several COUNTIES OR CITIES on their respective circuits throughout this kingdom, and to require the said grand juries to comply therewith as far as in their power, and to make such presentments as are mentioned and directed in said recited acts; and said judges are hereby required and directed to examine in a summary manner into the state and situation of the different gaols, and the conduct of the different gaolers, and to make such orders, and impose such fines, in cases of neglect or misconduct of gaolers, as shall to them seem just according to the circumstances.

\* Commissioners of excise.

† This act was enacted to continue till 24 June 1793, and to the end of the then next session.

*Sect. 2.* . . . If any of the GRAND JURIES of counties, or of cities throughout this kingdom, after their having been properly called upon, and directed by such judges to form and make such presentments for repair or enlargement of said gaols, or for providing such accommodations as in said acts are mentioned, or for making such other provisions as are therein specified, shall notwithstanding neglect or omit to form or make such presentments or provisions before the last day of said assizes, that in all such cases the said judges are hereby required, directed, and empowered to impose such fine or fines on said county at large, or on the co. of the city, as the case shall be, as they shall deem just and necessary.

*Sect. 3.* Provided always, that such fine or fines shall not exceed the sum of 500 POUNDS; and such fine or fines when levied shall be applied to the repair or enlargement of such gaol, or for providing necessary accommodations, and shall be accounted for in like manner as if the same had been regularly presented by the respective GRAND JURIES.

*Sect. 4.* Provided always, that any Fine imposed upon the county by the judge pursuant to this act, shall be laid in, applotted, and levied upon the county at large, in the same manner that presentments made by the GRAND JURY for county charges are laid in, applotted, and levied.

22 Geo. 3. chap. 45.

*This act obliging the treasurers of the corporations instituted by 12 Geo. 3. c. 30. for relief of the poor, to account for sums paid to them on county presentments, and neither applied, nor intended by said corporations*

*to be applied, is presumed to have been entirely executed, and therefore is not inserted in this collection.*

22 Geo. 3. chap. 62. sect. 1.

. . . So much of . . . 7 Will. c. 4. and of 8 Anne, c. 3. as subjects persons of the POPISH religion who shall publickly TEACH SCHOOL, or who shall INSTRUCT YOUTH in learning in any PRIVATE POPISH HOUSE within this realm, to the like pains, penalties, and forfeitures, as any popish regular convict shall be, and the same is and are hereby repealed.

Sect. 2. . . Nothing in this act contained shall extend . . to any popish school-master, who shall not have taken and subscribed the oath of allegiance and declaration prescribed by 14 G. 3. c. 34. in some of his m's. four courts in Dublin, or at the quarter-sessions of the peace for the co. of Dublin, or before any of the going judges of assize in open court. . . .

Sect. 3. . . Nothing in this act contained shall extend, or be construed to extend, to any popish school-master who shall receive into his school any person of the protestant religion, or to any person of the popish religion who shall be entertained to instruct youth in learning, as usher, under-master, or assistant, by any protestant school-master within this realm; any thing herein contained to the contrary in any wise notwithstanding.

Sect. 4. Provided also, that nothing herein contained shall be construed to allow the erection or endowment of any POPISH UNIVERSITY, or college, or endowed school in this realm, or to authorize any papist or person professing the popish religion to teach or keep school, who shall not have first obtained the licence of the ordinary  
of



of the diocese for that purpose, which licence the ordinary is hereby empowered to grant and recal from time to time as he shall think proper; . . .

24 Geo. 3. chap. 19. sect. 20.

. . . The GRAND JURY of each county, co. of a town or city, shall, at or immediately after each spring assizes \* held therein in each year, order and direct returns to be made weekly of the quantities and prices of wheat, rye, bere, barley, oats, peas and beans, from such and so many market towns as they shall think proper in their counties respectively, where a regular weekly corn market is held by ring of bell, and a magistrate or other person properly authorized attends; and shall and may also direct and appoint a proper person, being an inhabitant of such market-town, town, or city, to make such returns to the person appointed, in manner herein after directed, to receive the same; and in case the person so appointed to make such returns shall die, neglect his duty, or become incapable of performing it, any two justices of the p. together with the high sheriff of the county, or the chief magistrate in any co. of a town or city, may appoint a fit person to make such returns until the next spring assizes.

Sect. 21. . . . Every GRAND JURY shall, at the spring assizes, present, to be raised off the county at large, such sum as they shall think proper, not exceeding 2 SHILLINGS for each return, to be paid to the person appointed to make

\* By 25 G. 3. c. 62. s. 3. like powers are granted to grand juries for every summer assizes, as are by this act for spring assizes.

the same, as a reward for his trouble and expence, upon his producing a certificate from the person appointed, as is herein before mentioned, to receive said returns, setting forth that the same were regularly made pursuant to this act, and upon making affidavit that all the returns made by him were duly made without fraud or connivance, and the quantities and prices therein contained, were the real and true quantities and prices, to the best of his belief, and that in the market-town from whence such return is made, a regular weekly corn market is held by ring of bell, and that a magistrate or other person, (naming him and his station) attended to superintend the market.

*Sect. 22.* . . . The said returns shall be made to such person in the city of Dublin as shall be appointed for the purpose by the lord lieutenant, or other chief governor or governors for the time being; and such person shall and is hereby required to enter or cause to be entered, from time to time, such returns as shall be made to him in a book or books to be kept by him for that purpose, and once in every week to send a true copy thereof to the lord mayor of the city of Dublin, or in case of his absence, by sickness or otherwise, to the magistrate acting as such.

*Sect. 23.* . . . The lord mayor of the co. of Dublin, for the time being, . . . or the magistrate acting as such, shall cause proper books to be kept by the clerk of the corn market, in which the quantities and prices of all kinds of corn, grain, malt, meal, and flour, sold in the said city and liberties thereunto adjoining, shall be duly and regularly entered, and he shall likewise cause to be entered in the said book, the several returns made

made to him as aforesaid, and from the total amount of the quantities, and their respective prices in the said entries and returns, . . . the average price of each sort of grain for the six weeks immediately preceding, shall be struck by him within five days after each of the following quarter days; *viz. every 10th February, 10th May, 10th August, and 10th November*, in each year; . . . provided always, that until any of the said returns shall be made by the persons to be appointed by the grand juries, the average price of each sort of grain shall be struck in manner aforesaid, from the said entries only. . . .

24 Geo. 3. chap. 20. *sect. 12.*

. . . It shall and may be lawful for the court, or the judge or judges before whom any person shall be tried for any such \* offence, to direct the GRAND JURY of the county, co. of the town or city, to present (to be raised off the county, co. of town or city, which they are hereby empowered and required to do on such direction) the amount of all such sum or sums of money as shall be proved before them, in open court, to have been expended in the taking and prosecuting or bringing to justice such person or persons, whether such person or persons shall have been acquitted or not, the same to be levied as other monies presented by the grand juries are levied, and to be paid to the person or persons who severally expended the same.

*Sect. 13.* . . . If any inhabitant or inhabitants of any parish on which the damages shall or

\* That is, such offences against the corn trade, mills, granaries, utensils of manufactures, mine-engines, &c. as are specified in the 1st, 7th, and 8th sections of this act.



ought to be levied, and costs recovered upon any action brought by virtue of this act, shall prosecute, or cause to be prosecuted to conviction, any of the persons guilty of the offence, on account whereof such damages shall have been recovered within two years after the committal of the offence, and shall make the same appear in open court to the satisfaction of the judge or judges at the next or any ensuing assizes to be held for the county wherein such parish is situate, or if in the co. of Dublin, to the satisfaction of the court of k. b. at the next, or any succeeding term, it shall and may be lawful for the judge or judges, or court of k. b., and he and they are hereby required immediately to direct the GRAND JURY to present the sum so levied off the (or which ought pursuant to this act, to have been applotted on and levied off the) said parish, to be raised off the county, and paid to the persons in the said parish, according to the several payments made by them to the person or persons to whom such money, if levied off the said parish, ought to have been paid; and every grand jury which shall be so directed, is hereby empowered and required to present the sum to be raised pursuant to such direction, as other monies presented by them on the counties are raised; and in case any grand jury shall refuse, neglect, or decline to present such sum or sums of money as for the purposes aforesaid, or either of them, shall be so proved, made to appear, and be directed, that then, and in every such case, it shall and may be lawful to and for the said court, judge or judges, to refuse, and they are hereby required to refuse his or their fiat or allowance to every presentment or presentments made by such grand jury at such assizes or term.

24 Geo. 3. chap. 29. sect. 13.

. . . If any still, black pot, or alembick, not licensed pursuant to law, shall be seized in the co. of the city of Dublin, or in other counties of cities, or counties of towns, or the liberties thereunto belonging, or in any county of this kingdom, by virtue of any law, a sum of 20 POUNDS for each and every such unlicensed still, black pot, or alembick, as shall be so seized, if seized in the co. of the city of Dublin, or the liberties thereunto belonging, or co. of Dublin, shall be given, one moiety to the treasurer of the house of industry, for the use of the said house, and the other moiety to the person or persons who shall inform of, and seize the same; and if seized in any other part of this kingdom, one moiety thereof shall be given to the treasurer of the publick infirmary or hospital for the county in which the same shall be seized, for the use of the said infirmary or hospital, and the other moiety to the person or persons who shall inform of, and seize the same; so that such stills, black pots, or alembicks shall have been condemned by the chief commissioners and governors of his m<sup>s</sup>. revenue of excise, if seized within the jurisdiction of the excise office in Dublin, or if seized in other parts of this kingdom, by the sub-commissioners of the district in which such stills, black pots, or alembicks shall be respectively seized, the same to be raised by presentment of the GRAND JURY, at the assizes of such co. of a city, co. of a town, or co. at large, in which such stills, black pots, or alembicks, shall be seized, or at the quarter sessions of the co. of the city of Dublin, or co. of Dublin respectively, if such stills, black pots, or alembicks, be seized there;

there; and such money shall be raised out of the parish in such co. of a city, or co. of a town, or co. at large in which stills, black pots, or alembicks, shall be seized; the said money so to be raised, to be applotted and levied by the same means as other publick money is to be raised, to be applotted and levied.

*Sect. 14.* Be it enacted... that the said GRAND JURIES be, and they are hereby respectively authorized and required to present the said money in manner aforesaid, upon a certificate signed by the said chief commissioners, or sub-commissioners respectively, by whom such stills, black pots, or alembicks, shall be respectively condemned, of the signing of which by the said chief commissioners or sub-commissioners, proof shall be made by affidavit, before one of the judges of assize, or justices of the said quarter-sessions; such certificate setting forth the particular town, or county, and parish where such stills, black pots, or alembicks, were respectively seized, and the name or names of such person or persons who informed of and seized the same, and that such stills, black pots, or alembicks have been condemned by them respectively, pursuant to law; which presentments shall be confirmed by the judges of assize, and if in the county of the city of Dublin or co. of Dublin, by the justices of the p. at the quarter-sessions for the same respectively.

24 Geo. 3. chap. 34. sect. 1.

. . . Every prisoner who now is, or hereafter shall be charged with any crime or offence whatsoever, before any court holding criminal jurisdiction in this kingdom, against whom no bill of indictment



indictment shall be found by the GRAND JURY, or who on his or her trial shall be acquitted, or who shall be discharged by proclamation for want of prosecution, shall be immediately set at large in open court, without the payment of any fee or sum of money to or for the use of any person whatsoever.

*Sect. 3.* Provided always, that nothing in this act contained shall be construed to extend to prevent any judges of assize, or commissioner of oyer and terminer, and gaol delivery, from ordering any prisoner to be transmitted to any other county, when he shall appear to such judge to be charged with any crime, or to extend to the discharge of any prisoner against whom there shall be any other bill of indictment ordered by the court to be sent up to the GRAND JURY.

*Sect. 4.* . . . All such legal and accustomed fees as have been usually paid or payable to the several sheriffs, gaolers, and keepers of prisons, and to the clerks of the crown, and clerks of the peace, his or their deputy or deputies in this kingdom, and all other fees whatever in any of the cases aforesaid, shall absolutely cease, and are hereby abolished and determined, and from and after passing this act, no sheriff, gaoler, or keeper of any gaol or prison, or clerk of the crown, or clerk of the peace, his or their deputy or deputies shall ask, demand, take, or receive any sum or sums of money from any of the said prisoners as fees.

*Sect. 5.* . . In lieu of such fees so abolished as aforesaid, it shall and may be lawful to and for the GRAND JURIES of the several counties, co. of cities, and co. of towns, in this kingdom, at the assizes held for the said counties, co. of cities, and

and co. of towns, (and at the quarter-sessions held for the said co. of Dublin, and co. of the city of Dublin) in which such prisoners shall be discharged as aforesaid, to present from time to time ANY SUM OR SUMS OF MONEY THAT THEY SHALL THINK PROPER \*, not exceeding the amount of the legal accustomed fees heretofore paid in such cases to such sheriffs, gaolers, and keepers of prisons, and to such clerks of the crown, and clerks of the p. his or their deputy or deputies, the amount of such fees, to be ascertained by the respective affidavits of such sheriffs, gaolers, keepers of prisons, clerks of the crown, and clerks of the peace, his or their deputy or deputies, to be raised out of and from the said county at large; and in case such presentment shall be filed by the judges of assize, or of oyer and terminer, for such counties respectively, or by the justices of the p. at the said quarter sessions of the county of Dublin, and county of the city of Dublin, the sums so presented to be raised and levied in such manner as other county presentments are now usually raised and levied, and shall be paid over to such sheriffs, gaolers, or keepers of such gaol or prison, and to such clerks of the crown, and of the peace, his or their deputy or deputies respectively, in the proportions to which they were heretofore entitled to such fees.

*Sect. 6.* . . . It shall not be lawful for any GRAND JURY, by virtue of this act, to present at any one assizes for the payment of any persons who shall be discharged at any quarter-sessions in pursuance of this act, any sum of money ex-

\* By 26 Geo. 3. c. 14. s. 13. the extent of these sums is limited in respect of the co. of Dublin.

ceeding

ceeding in a county at large the sum of 20 POUNDS, and in a co. of a city, or co. of a tn. 10 POUNDS, excepting only the co. of Cork, the grand jury of which may present for the purposes herein before mentioned, any sum or sums of money, not exceeding in the whole the sum of 30 POUNDS at any one assizes, . . . and that it shall be lawful for the grand jury of the co. of the city of Dublin, to present at any quarter-sessions for the purposes herein before mentioned, any sum or sums of money, not exceeding in the whole the sum of 50 POUNDS.

*Sect. 7.* . . . It shall and may be lawful to and for the term GRAND JURIES for the county, and the co. of the city of Dublin, if they shall think proper to present on their respective counties the accustomed and legal fees \* payable to the respective sheriffs, gaolers, and clerks of the crown, and clerks of the peace for such counties, for all such prisoners as shall have been discharged at the commissions of oyer and terminer held for the said counties respectively, in pursuance of this act, such presentments to be made in the term next following the discharge of such prisoners, and to be founded on the affidavits of the said sheriffs, gaolers, clerks of the crown, and clerks of the peace respectively, his or their deputies, and that it shall and may be lawful to and for the judges of the court of k. b. if they shall think proper, to fiat such presentments.

*Sect. 8.* . . . Sums so presented when raised shall be distributed among the said respective officers, his or their deputy or deputies, in proportion to the amount of their several and respective legal and accustomed fees.

\* The extent of this power is limited in respect of the co. of Dublin by 26 G. 3. c. 14. s. 13.



24 Geo. 3. chap. 39. sect. 20.

... If any person or persons shall discover and prosecute to conviction any person or persons who shall illegally cut down any tree or trees of the value of five shillings, or upwards, he, she, or they shall be entitled to, and receive as a reward for his, her, or their trouble and expence, the sum of 5 POUNDS, the same to be levied by presentment of the GRAND JURY at the assizes on the parish in which such offence shall be committed.

24 Geo. 3. chap. 41. sect. 1.

... It shall and may be lawful for every GRAND JURY of every county in this kingdom, and for every grand jury of every co. of a city to enquire into (and they are hereby required so to do) the state of the gaols in their respective districts: and if they shall find them insufficient, inconvenient, or in want of repair, ... they are hereby empowered to present such sum or sums as shall be deemed necessary to remedy such insufficiency or inconveniency, or to effectuate such repair, and to contract and agree with any person or persons for building, re-building, finishing, repairing, or enlarging any gaol or gaols, and any buildings or conveniencies which shall be adjudged a requisite thereto by the said juries, at a certain sum, payment, or allowance for the same, such contractor or contractors giving sufficient security by recognizance, in double the sum to be contracted for, and to be approved of by such grand jury for the due performance thereof to the respective clerks of the peace for such county or co. of a city.

Sect.

*Sect. 2.* . . . The different GRAND JURIES as aforesaid, after such presentment or presentments made, shall give notice of such having been made three times at least, in some publick newspapers or newspaper, circulating in or near such county, or co. of a city, of their intention of contracting with any person or persons for building, rebuilding, repairing, finishing, or enlarging such gaol or gaols as aforesaid, and such contract or contracts shall be made at the most reasonable price or prices which shall be proposed by such contractor or contractors as shall be deemed by the said juries the most proper and responsible persons to carry such contract or contracts into execution, and all contract or contracts when agreed upon, and all orders relating thereto, shall be entered in a book to be kept by the respective clerks of the peace for the time being, who are hereby required to keep the same among the records of the county, to be from time to time inspected at all reasonable times by any of the said juries in their respective counties, or by any person or persons employed or to be employed by any county, city, or barony, contributing to the purposes of this act, without fee or reward.

*Sect. 3.* . . . The GRAND JURIES in determining upon the plans for building, re-building, or altering the gaol of a county, or co. of a city, or enlarging the yard thereof, shall adopt such plan as shall provide not only different distinct apartments, but likewise where it may be done, dry and airy cells for each prisoner to sleep in, and two or more distinct yards, for the confinement by day as well as night of prisoners of the following descriptions, namely, *debtors, accused felons, convicted felons, inferior criminals*, separating the

the males from the females, and providing a distinct room for king's evidence, in each of which above mentioned yards if practicable, there shall be placed a water pump, as also a Necessary house or Privy to which the prisoners shall have free access.

*Sect. 4.* . . . The GRAND JURIES of all counties and counties of cities (after presentment made as aforesaid) shall have full power and authority to buy or purchase any houses, buildings, lands, tenements, or hereditaments adjoining to such gaol or gaols for the purpose of enlarging the same, or the courts and outlets thereunto belonging, and to direct the houses, buildings, lands, tenements, and hereditaments so purchased, to be conveyed to such person or persons as the said grand jury or grand juries shall appoint, in trust, and for the uses and purposes aforesaid, and to cause such gaols and courts, and outlets to be enlarged therewith, and such houses, buildings, lands, tenements, and hereditaments, when inclosed and added thereto, shall be deemed and taken to be a part of such gaols, and to be part of such county or co. of a city, as the case shall be, to all intents and purposes.

*Sect. 5.* . . . Whenever the said GRAND JURY of a county, or co. of a city, shall deem it necessary that the debtors, felons, and other prisoners shall be removed, either for the purpose of repairing the old gaol, or using the materials in building a new gaol, on giving sufficient notice to the sheriff of such county, or co. of a city for the time being, it shall and may be lawful for the said sheriff to remove such debtors, felons, and other prisoners to the house of correction belonging to such county, or co. of a city,



city, or such other place or places as the said grand jury or grand juries, with the consent of the said sheriff, shall approve of, and confine them there during the time such new gaol shall be building, or old gaol repairing, and that when any such gaol shall be made fit for the reception and safe keeping of such debtors, felons, and other prisoners, then it shall be lawful for the said sheriff to remove thither all such debtors, felons, and other prisoners as shall then be in his custody, and the expence of such removal or removals to and from such place or places of confinement, and any expence the said sheriff may be put to for their safe custody, in such house of correction or other place or places, shall be allowed and paid by such county or co. of a city, and such removal or removals shall not be deemed or taken to be an escape.

*Sect. 6.* . . . The said GRAND JURY or grand juries are hereby authorized to nominate and appoint one more justice or justices of the p. of and for any such county or co. of a city, whom they shall deem most proper to visit and superintend the gaol thereunto belonging, and from time to time to make a report of the state thereof to the justices of the quarter-sessions which shall next happen after the respective spring or summer assizes, and the justices at such sessions are hereby authorized and required upon such report to order and direct any sum or sums of money to be laid out upon the repair or repairs of such gaol, as they shall deem requisite, notwithstanding such want of repair shall not have been presented by the grand jury or grand juries at the assizes; Provided always, that the expences so incurred, or to be incurred, shall not exceed 50 POUNDS; and if it shall at any time happen  
that

that the said gaol by any breach being made in the same, from attempts of prisoners to escape, or other casualties or accidents, shall be rendered unsafe for the custody of the prisoners therein confined between the respective general assizes, it shall and may be lawful for the said justices so appointed as aforesaid, to order the damages occasioned thereby to be immediately so far repaired as may be necessary and sufficient for the safe custody of such prisoners, and shall report the same to the next court of general quarter sessions to be held for such county or co. of a city, which court is hereby authorized to order the payment of such sum or sums of money as shall have been expended in such reparation or reparations, as also in providing proper beds and blankets, and clean straw for the prisoners as often as they shall see a necessity for so doing, and the said sum or sums of money so expended, shall be deemed and taken as a part of the said sum of 20 POUNDS. \*

*Sec. 7.* And in order to defray the expences of building, re-building, finishing, repairing, or enlarging the gaols of counties and counties of cities, and the buildings thereunto belonging, and of purchasing houses, buildings, lands, tenements, or hereditaments, and the expences necessary for the execution of this act; be it further enacted by the authority aforesaid, that the said GRAND JURY or grand juries may, and shall cause to be presented and raised, such sum or sums of money as shall be necessary for all or any of the purposes aforesaid, in such manner and at such times as they shall deem most expedient,

\* As 50*l.* is the sum mentioned in the preceding part of this section, the word *Twenty* seems to be an error.

agreeable to the laws now in force for regulating presentments by grand juries, and to be expended and accounted for agreeable to the same.

*Sect. 8.* Provided always, . . . that nothing in this act shall extend to authorize the said GRAND JURY or grand juries to begin to build or rebuild any gaol or gaols, until the plan and contracts upon which the same is proposed to be built or rebuilt, shall have been previously agreed to, and approved of by the grand jury, which shall meet at the next general assizes to be held for such county, or co. of a city.

*Sect. 9.* . . . It shall and may be lawful for all corporations aggregate, or sole, ecclesiastical, civil or eleemosynary, husbands, guardians, committees, executors, administrators, and all trustees whatsoever, not only on behalf of themselves, but also on behalf of their *cestui que* trusts, whether infants or issue unborn, lunatics, idiots, femmes covert, or other person or persons under any disability whatsoever, and also for all other persons who are, or shall be seized, possessed of, or interested in any houses, buildings, lands, tenements, or hereditaments, which shall be deemed necessary for the purposes of this act, to contract or agree for, sell, convey, and assure such houses, buildings, lands, tenements, and hereditaments, unto the person or persons whom the GRAND JURY or grand juries shall nominate in trust, and for the uses and purposes of enlarging any such gaol, or the courts and outlets thereunto belonging, and all such contracts, agreements, sales, conveyances and assurances shall be valid and effectual in law, to all intents and purposes whatsoever, any law, statute, usage, or custom to the contrary notwithstanding; and all corporations and persons so agreeing

or



or conveying, are hereby indemnified for what they shall respectively do by virtue of this act.

*Sec. 10.* . . . All sums of money which shall be agreed to be paid to any corporations, husbands, executors, administrators, guardians, committees, or other trustees whatsoever, for or on behalf of any infants, lunatics, idiots, *femes covert*, or other *cestui que* trusts, or to any other person or persons whose houses, buildings, lands, tenements, and hereditaments shall be limited in strict settlement for the purchase of any such lands, tenements, and hereditaments, shall, in case such sums of money shall exceed the sum of 100 POUNDS, be laid out by such corporations, husbands, executors, administrators, guardians, committees, or other trustees, or any person or persons seized of such houses, buildings, lands, tenements or hereditaments so limited in strict settlement, as soon as conveniently may be, in the purchase of lands, tenements, and hereditaments, in fee simple, to be conveyed to, or to the use of such corporations, husbands, executors, administrators, guardians, committees, or other trustees, and to and for such person or persons, and for such estate and estates, and to, for, and upon, and subject to such uses, limitations, remainders, and contingencies as the houses, buildings, lands, tenements, or hereditaments for and in respect whereof such purchase money shall be paid as aforesaid, shall be limited, settled, and assured at the time such purchase or contract shall be made in manner aforesaid, or such as shall then be capable of taking effect, the charges of such conveyances and settlements to be paid in the same manner as the other expences of the gaol, and in the mean time, and until such purchase or purchases shall be made, such money, whether

whether the same shall or shall not exceed the sum of 100 POUNDS, shall be laid out by such corporations, or other persons for the time being interested therein, in some government securities, in the names of two persons, one to be nominated by the party or parties for the time being interested therein, and the other by the respective GRAND JURIES aforesaid, and the interest arising from such securities, shall be paid to such person or persons respectively, as would have been entitled to the rents and profits of such lands, tenements, and hereditaments, in case the same had not been sold, as would for the time being be entitled to the rents and profits of such lands, tenements, and hereditaments so to be purchased, in case the same were purchased and settled as aforesaid.

*Sect. 11.* . . . If . . . any gaoler shall be convicted of selling, either by wholesale or retail, beer, wine, ale, or spirituous liquors of any sort, either by himself or deputy, or by any person in trust for him, or for his emolument, or under his authority or appointment, and shall be thereof convicted before any judge of assize, or before the recorder of the city of Dublin, at the quarter-sessions thereof, that in all such cases he shall be fined a sum of 50 POUNDS, to be levied by sale or distress of his goods and chattels, or imprisoned till payment thereof, one half to be paid to the informer or person who shall prosecute such gaoler or gaolers to conviction, the other half to be paid to the foreman of such GRAND JURY, to be by them disposed in such manner as they shall deem most useful in providing necessaries for the prisoners of such gaol, the gaoler whereof shall be so fined and convicted.

*Sect.*

*Sect. 12.* . . . All GRAND JURIES of counties, and of counties of cities, are hereby empowered and authorized, if they shall think proper so to do, to appoint such salaries and allowances to the said gaolers and their assistants in their several respective jurisdictions, and to alter the same from time to time, as they shall see occasion, and to direct such salaries and allowances to be paid by the treasurer of such county, or co. of a city, all such salaries and allowances to be raised by presentment, in such manner as other publick money is now raised by law.

*Sect. 13.* Provided always, that no gaoler shall be entitled to receive such salary or allowance, unless he shall first prove, to the satisfaction of the GRAND JURY, that he has complied with all and every of the different rules and regulations prescribed for the better regulating the gaols and prisons throughout this kingdom, and for the conduct of the gaolers thereof, by the different acts of the 3<sup>d</sup> and 18<sup>th</sup> G. 3.

*Sect. 14.* . . . Every gaoler shall be, and is hereby required to provide himself with the said recited acts, as also this present act, and to keep the same ready to produce for the inspection of such magistrate or magistrates, or other person legally appointed to visit or inspect the management of any such gaol, or the conduct of such gaoler, under a penalty of 5 POUNDS, to be recovered in the usual manner by civil bill, by any person who shall inform thereof.

*Sect. 15.* Provided always, that nothing . . in this act shall be deemed to release or exonerate any gaoler of a county, or co. of a city, from any of the fines, penalties, or other punishments imposed or appointed to be levied by all or any of the said recited acts, for any misdemeanor, neglect



neglect of duty, or misconduct, but that every such gaoler shall be liable to, and subject to the same, as fully and effectually to all intents and purposes, as if this act had not been made.

*Sect. 16.* And whereas by several statutes now in being, many persons having been charged with, or convicted of petty offences, are committed to the county or city gaol, under sentences and orders made by a justice or justices of p. at their sessions, or otherwise, in a summary way, and not according to the course of common law: be it further enacted, that it shall and may be lawful for any justice or justices of p. so authorized by the above mentioned statutes, to commit such persons so charged or convicted before him or them, to imprisonment in the house of correction within his or their jurisdiction, in lieu of such county or city gaol; any law or custom to the contrary notwithstanding.

*Sect. 17.* *This shall be deemed a publick act.*

*Sect. 18.* . . . The several statutes now in force for the regulations of gaols, prisons, and prisoners in this kingdom, shall in all things remain in full force, as if this act had not been made, unless so far as the same are altered or amended by this act.

24 Geo. 3. chap. 42. sect. 1.

. . . No money shall be presented by the GRAND JURY of any county for widening of any publick road, unless there shall be added to the affidavit now by law prescribed to be sworn by two credible persons, before any money can be presented for widening, the words following, viz. "*and that no part of said* perches  
"*has ever been widened by presentment to the width*  
"*aforsaid to the best of their belief and knowledge;*"  
and

and that no money shall be paid on account of any presentment for the repair of any road, unless there shall be inserted in the affidavit to account for the same the following words, viz.

*" and that no part of said perches were ever to the best of their belief and knowledge presented by the grand jury, to be made of a greater width than      feet,"* which blank shall be filled with the number of feet to the width of which the road is stated in the affidavit at the time of swearing the same; and that no money shall be paid on account of any presentment, for the making of a new road, or repairing of an old road, unless there shall be inserted in the affidavit to account for the same, after the words drains or fences, the words following, viz. *" and is sufficiently level for a carriage to pass and repass throughout the whole of said width, and that there is a free passage for the water in every part of the said ditches and drains, and that every part of the said perches so presented was fully and effectually made or repaired (as the case may be) two days before the commission day at this present assizes,"* which words are to stand in the place of those required by 18 Geo. 3. chap. 22. sect. 5. to be added to every affidavit for accounting for money expended in making or repairing the public roads.

Sect. 2. . . . The GRAND JURY of every county, may at any assizes, present any sum of money to be raised off the county at large for the purpose of erecting walls, pales, or fences for the protection of passengers from dangerous precipices and quarry holes, lying on the side of any road, or for the purpose of preventing steep banks of earth from falling in upon a road, upon an affidavit being made by two credible persons,

persons, who can write and read, that the same is to the best of their belief necessary, and the charge reasonable.

*Sect. 3.* . . . . If any person or persons shall wilfully pull down, or cause to be taken away, any battlement, wall or mound built, erected or repaired by presentment, or shall wilfully break, deface, pull down, or take away any stones thereout, or out of any court house, gaol, bridge, pier or other work, built or repaired as aforesaid, or by any grant from parliament, or wilfully tear up, deface, break, pull down, destroy, or carry away any milestone, or finger post, unless authorized so to do, such person or persons shall for every such offence, on being convicted thereof, on the view of any justice of the p. of the said county, chief magistrate of a city, or town corporate, or his acting deputy, or upon the oath of one credible witness, be liable to a penalty of such sum not exceeding 5 POUNDS, as said justice of the p. or chief magistrate, or his acting deputy shall think fit, one half to the informer, and one half to the poor house of the parish, or county infirmary, to be levied by distress and sale of the offender's goods; and if such sum cannot be levied, such person or persons so offending, may be committed to the county gaol, or house of correction, there to remain without bail or mainprize, till such sum shall be paid, or for such time as the justice of the p., chief magistrate, or his deputy, may judge proper, not exceeding three calendar months for the first offence, six for the second, and one year for the third.

*Sect. 4.* And for the better preventing of such abuses and the maintenance of a good police; be it enacted . . . that every GRAND JURY may appoint



appoint four additional sub-constables in each barony, and may present at each assizes a sum not exceeding 40 SHILLINGS for each additional sub-constable, to be raised off the barony, and paid by the treasurer of the county to every such sub-constable aforesaid, on his producing a certificate from the clerk of the peace, of his having duly qualified according to law.

*Sect. 5.* . . . The GRAND JURY of each county, at any assizes, may present to be raised on the county at large, any sum or sums of money not exceeding in the whole, . . . 150*l.* for every 50,000 acres contained in said county, according to the county books, or the usual computation thereof, and so in proportion for any less quantity, for the purpose of obtaining an accurate Survey and Map thereof; and that every such survey when finished, shall be deposited with, and kept by the treasurer of said county, amongst the records thereof; and that a copy of said survey and map shall be put up, and kept constantly during the assizes in the grand jury room of said county.

*Sect. 6.* . . . Where any Survey of a county has been or shall be executed as aforesaid, it shall be lawful for the GRAND JURY of such county, if they shall think proper, to present a sum not exceeding 10 POUNDS, to be raised off each barony, for the purpose of protracting a separate map of such barony from the said county map, but to be executed on a scale twice as great at the least.

*Sect. 7.* Provided also, that whatever scale may be agreed on for the first barony, shall be adopted for each other barony in the said county.

*Sect. 8.* *No driver of any carriage with 4 WHEELS, whose soles is not less than 6 inches broad, and streaks set on with flat-headed nails, and whose axles are such that*

*that the wheels roll at least 10 inches of the road in breadth on each side of such carriage, and are so placed that the space between the middle of one track and of the other of such wheels does not exceed 6 feet, shall pay more than 2 PENCE toll at any turnpike-gate on same day.*

**Sect. 9.** . . . Every GRAND JURY at any assizes shall have power to appoint a person who shall act as secretary or clerk of the grand jury at the assizes ensuing.

**Sect. 10.** . . . All affidavits for presentments for making, widening, and repairing roads, building, or rebuilding or repairing gaols, session-houses, bridges, pipes, gulleys, arches, walls, or fences, shall be lodged six days at the least before the first day of the assizes with the secretary of the GRAND JURY, at his office in the county town, who is hereby required to keep an office open from the hour of eleven till three in the afternoon in such county town, ten days at least previous to every assizes, and to make schedules of such affidavits, distinguishing in separate schedules the amount of the sums sworn to in the said affidavits, for the purpose of being raised on the county at large, and on each barony or half barony, and specifying the amount of the charge that the said sums so sworn to, for the purpose of being raised on the county at large, would, if presented, occasion on each barony or half barony, particularizing the charge from the presentments on the barony or half barony, and the proportion of the sums to be raised on the barony or half barony, arising from the charge on the county at large; and the said secretary is hereby required to deliver such schedules (numbering the affidavits in each schedule in arithmetical progression, beginning with number one) to the foreman

man of the grand jury, on the day the grand jury shall be sworn, together with all the affidavits he has received; and he shall likewise deliver a copy of such schedules to the judge of assize, and keep a third in his office for the inspection of the publick; which third schedule he is hereby directed and required to have ready for such inspection, four compleat days at least before the first day of each assizes respectively.

*Sec. 11.* . . . The GRAND JURY shall number all such presentments as they shall make agreeable to the number in such schedules; and . . . no presentment shall be filed in court, which shall not be founded on an affidavit entered in such schedules; and the grand juries of the several counties are hereby empowered to grant to their secretary at each assizes, a sum of 5 Pounds sterling, over and above all sums now allowable by law to be presented for such secretary, upon his making affidavit before one of the judges of assize, that he has faithfully made such schedules from all the affidavits so sent to, or delivered at his office; and that he has not entered therein any affidavit which was not delivered at his office six days at least before the first day of the present assizes.

*Sec. 12.* Provided always, that if it shall appear by the oaths of two credible persons who can read and write, that any bridge, or part of a bridge, or pipe have been so damaged by sudden accident within the space of six days before, or during the sitting of any assizes, that it is absolutely necessary to rebuild or repair the same before the assizes after, that then, and in every such case, it shall and may be lawful for the GRAND JURY to present such sum or sums of money as may be sufficient to rebuild or repair such



such bridge, or part of a bridge, or pipe, in like manner as if this act had never been made.

*Sect. 13.* . . . When the secretary or clerk of the GRAND JURY of each county shall have made such schedules, and totted up the amount of the sums required on the several affidavits, to be raised at such assizes on the baronies, half baronies, or county at large, the treasurer of each county is hereby required to apportion the same according to the usual mode of assessment in the respective baronies; which apportionment, together with an accurate copy of the presentments and applotment of the sums granted at the preceding assizes, he is to return to the foreman of the grand jury before two o'clock of the day on which they shall be sworn, or if such grand jury shall be sworn in the afternoon, then before two o'clock on the following day; and the several grand juries are hereby empowered to grant a sum not exceeding 5 POUNDS, at every summer assizes to the treasurer, over and above what he may be otherwise entitled to by law, or the sum of 15 POUNDS at every assizes in such counties where the grand juries are not now by law empowered to present a sum not exceeding 20 POUNDS yearly for the salaries of their respective treasurers on his making an affidavit of the fidelity and accuracy of such copy of the presentments of each preceding assizes, and of the apportionment of the sums specified in the several affidavits to be raised, to the best of his skill and abilities; and provided that such treasurer shall return to the foreman of the grand jury at the assizes preceding the twenty-fourth of June, 1785, an accurate and fair account in a book to be by him provided for that purpose, of all the presentments of every kind whatsoever which  
had

had been made by any former grand juries, for seven years preceding, provided he has been so long in office, or if he has not been so long in office, then for the time he has been so, distinguishing in several pages the presentments on the county at large, and on the several baronies or half baronies at every assizes, and setting forth in separate columns the number annexed to each presentment, in the presentment and quere book, the sums raised, the works for which the money was presented, the overseers names; And in case of presentments for making, widening, or repairing of roads, the places to and from which said roads lead, the number of perches presented, and the points between which said perches are described to lie, and the breadth of said roads, as set forth in the respective affidavits, and specifying on the top of each column the matter it contains, and at the bottom of that column which contains the sums, the amount thereof as presented at every assizes respectively.

*Sect. 14.* . . . All measurement of roads for the purpose of grounding or accounting for presentments shall be by the perch of 21 feet in length.

*Sect. 15.* . . . Be it enacted, . . . that wherever any affidavit is required by any law now in force to be sworn before the judge or judges of assize for the purpose of accounting for money presented, any affidavit sworn in like form and manner before two justices of the p. for the county shall be as valid to all intents for the purpose of accounting, and the person making the same be liable to the same penalties for false swearing, as if the same were sworn before the judge or judges of assize.

*Sect.*

*Sect. 16.* And whereas there are several tracts of land in the counties of Wicklow, Antrim, Downe, Fermanagh, city and co. of Londonderry, counties of Tyrone, Monaghan, Donegal, Wexford, Kilkenny, Mayo, Tipperary, Galway, Waterford, and Kerry, through which a road of thirty feet in width cannot be made without a great and unnecessary expence to the barony, from the particular situation and nature of the ground, though such part of the barony cannot with propriety be sworn to be in a mountainous unimproved state, as the affidavit now by law prescribed for narrow roads requires to set forth: Be it enacted by the authority aforesaid, that in such circumstances, the GRAND JURY of the said counties may present such road, or so many perches of such road, to be made or repaired of such width as they shall judge proper, not less than sixteen feet, and also a sum not exceeding 1 SHILLING by the perch for fences thereto, if such road shall be presented as a new one.

*Sect. 17.* And that in the affidavit by law required for grounding the presentment for the making of a new, or repairing of an old mountain road within said counties, there shall be inserted in the place of the words, "in a mountainous unimproved part of said barony," the words following, viz. in a part of said barony, where from the situation of the road, and the nature of the ground, the expence would be very great, and at the same time unnecessary to make a wider road; and that in the affidavit for accounting for the same, the word "mountainous" may be omitted, and the word "narrow" inserted in its stead: Be it enacted, that the GRAND JURY shall



shall have power to present at every assizes on the co. at large, any sum not exceeding 40 SHILLINGS for each county town, to be paid to a Court-house keeper, whom they are hereby authorized to appoint, and with whom the key of the court-house shall be lodged: Provided no such person shall receive any money on the above account, unless he shall appear to the grand jury and judge of assize, by affidavit sworn before one of the judges of assize by himself, or, in case of his being sick, by some credible person, who can read and write, that the said Keeper is and has been Resident in the said county town since the last assizes; And that the greater number of the Windows of the said court-house have been Open twenty-four hours at least in every week between sun-rise and sun-set since the preceding assizes; And that no person whatsoever has been permitted to make any use whatsoever of the said court-house, save only for publick meetings; And also any sum not exceeding 30 POUNDS to be raised off the county at large for sitting up, furnishing, and rendering more convenient the several grand jury rooms in this kingdom; Provided that no such sum shall be presented, unless it appears to the grand jury and judge of assize, by the affidavit of two credible persons, who can read and write, sworn before any two justices of the p. for the county, or one of the judges of assize, that the charge is reasonable, and cannot be effectually executed for a smaller sum; And unless the several articles of furniture shall be set forth in the body of the presentment; And that no money shall be paid on account of any such presentment, unless it shall appear to the grand jury and judges of assize, by affidavit, sworn in like manner by one

of the Overseers, that the work has been effectually executed, or the furniture provided, as the case may be, and that the sum so accounted for was actually expended therein.

*Sect. 18.* . . . From and after 25th June 1784, the GRAND JURY at the general assizes held for the . . county of *Down*, shall have power, if they see fit, to present in usual manner any sum not exceeding in the whole 60 POUNDS *per annum*, as a salary for the treasurer of the said county for the time being.

*Sect. 19.* . . . Whenever any contract is entered into between the GRAND JURY and the parties *contracting to keep a publick road in repair*, a bond shall be executed by said parties for double the sum they are to receive by said contract, conditioned for their well and duly fulfilling the same; which bond shall be lodged in the treasurers hands, who is hereby empowered on the failure of their contract to put such bond into immediate execution.

*Sect. 20.* . . . All Overseers for making or repairing any canal, or making any river navigable, or improving the navigation of any river, or for building or repairing any court-house, session-house, or gaol, shall have all and singular the same powers of raising and carrying away Gravel, stones, earth, or other materials for the use of such respective works, as are given by the laws now in force to the overseers of publick roads, and subject to the same regulations and restrictions,

*Sect. 21.* — All *Wilful, False, and Corrupt Oaths or affirmations made in pursuance of this act, and also all Subornation of any such oath or affirmation, are declared to be liable to the respective penalties, &c. of perjury and subornation now in force in this kingdom.*

*Sect.* .

*Sect. 22.* . . . The GRAND JURY of the co. of ANTRIM may, at the assizes of said county, present narrow roads agreeable to the terms prescribed by this act, from one Great Road to another, or from any great road to Loughneagh in said county, if they shall think proper so to do.

*Sect. 23.* . . . The justices of the p. of the co. of ANTRIM shall have the like power to punish for any nuisance on the roads of said county by their view, as the justices of the p. for the co. of Down now have by law: provided that nothing in this act contained shall be construed to extend to the county of Dublin, or county of the city of Dublin.

*Sect. 24.* . . . The GRAND JURY of the co. of DOWN shall have power, and are hereby required, at the respective assizes, to present, in the same manner as they are now empowered, to present money for the repairs of any other road, such sum or sums of money as shall appear to them necessary in the aid of the said tolls (*paid on the turnpike road from Banbridge to Belfast*) for keeping the said turnpike road in repair.

*Sect. 25.* Provided nevertheless, that if it shall be stated in the affidavit to account for such money expended in making or repairing a road, that the same is made or repaired (as the case may be) through a tract of bog, that then the words "and is sufficiently level for a carriage to pass and repass through the whole of said width" may be omitted in such affidavit to account, any thing herein contained to the contrary notwithstanding; and that the words "which perches are made or repaired (as the case may be) through a tract of bog," shall be inserted in their place.



24 Geo. 3. chap. 48. sect. 1.

... If any person . . shall Plunder, Steal, Take away, or Destroy any Goods or Merchandize, or other effects, from or belonging to any Ship or Vessel . . in Distress, or . . Wrecked, Lost, Stranded, or Cast on Shore on any coast of This kingdom (whether any living creature be on board such vessel or not) or any of the furniture, tackle, apparel, provision, or part of such ship or vessel; or shall beat or wound with Intent to Kill or destroy; or shall otherwise wilfully obstruct the Escape of any person Endeavouring to Save his or her Life from such ship or vessel, or the Wreck thereof; or if any Person . . put out any false light, . . with intention to bring any ship or vessel into danger, every such person . . so offending, shall be deemed guilty of felony, and . . shall suffer DEATH without benefit of clergy.

Sect. 2. . . Provided always, . . that when goods or effects of small value shall be stranded, lost, or cast on shore, and shall be stolen without . . cruelty, outrage, or violence, then . . it shall be lawful for any person . . to prosecute for such offence by way of indictment for PETIT LARCENY, and the offenders . . convicted, shall suffer such punishment as the laws in cases of petit larceny do . . require.

Sect. 6. . . If oath shall be made before any magistrate lawfully empowered to take the same of any such plunder or theft, \* and the examination in writing thereupon taken, shall be delivered to the clerk of the crown of the county or

\* Of goods belonging to any vessel wrecked or in distress, as described in the two first sections of this act.

place wherein such fact shall be committed, or to his deputy, or if oath shall be made before any such magistrate of the destroying or doing any act tending to destroy any ship contrary to the 4 G. 1. c. 4. and the examination in writing thereupon taken, shall be delivered to such clerk of the crown, or his deputy, then such clerk of the cn. or his deputy, shall cause the . . offenders in any of the said cases to be forthwith prosecuted for the same, and the necessary charges of such prosecution shall be paid by the treasurer of the county or place where the fact shall be committed, to such amount as the GRAND JURY at the assizes for said county or place shall order and direct; and if such clerk of the crown, or his deputy, shall neglect or refuse to carry on such prosecution in due manner, he shall forfeit 100 POUNDS for every such offence to any person . . . who shall sue for the same. . . .

24 Geo. 3. chap. 56. sect. 1.

In case any private soldier in the actual service of his majesty, or his successors, or ANY other SUBJECT of his m. shall from and after the passing of this act be HOGGED, and have the tendons and sinews of his leg or legs cut across, And in case the Person or persons who shall Perpetrate and commit such offence shall Escape, and shall not be discovered and apprehended, prosecuted and convicted within the space of Six Months next after such offence shall be committed, . . . then and in such case the respective GRAND JURIES of the several counties in this kingdom, where such fact shall be committed, if the said fact shall be committed in any county except the county of Dublin, or the co. of the city of Dublin, shall, and are hereby required at any

any assizes to be held for such county, within one year after such fact shall be committed, to present and charge upon the inhabitants of such barony of such county in which the said fact shall be committed, or on the inhabitants of the county of any city or town at large (except the said city of Dublin) in which the said fact shall be committed, the sum of 20 POUNDS *sterling*, to be paid yearly and every year during the life of such private soldier or other subject of his majesty so houghed as aforesaid, to such private soldier or other subject of his majesty for his support and maintenance; and in case the said fact shall be committed in the co. of Dublin, or in the co. of the city of Dublin, that then and in such case the respective grand juries of said co. of Dublin, and of the said co. of the said city of Dublin, in his m's. court of k. b., shall, and are hereby required in term time, within one year after such fact shall be committed, to present and charge on the inhabitants of such barony within the said co. of Dublin, or on the inhabitants of such parish within the co. of the said city of Dublin, as the said fact shall be committed, in the sum of 20 POUNDS *sterling*, to be paid yearly and every year during the life of such private soldier, or other subject of his m. so houghed as aforesaid, to such private soldier, or other subject of his m., for his support and maintenance; the said sum of 20 POUNDS yearly and every year, to be levied on the inhabitants of such barony or co. of city, or town or parish in the said city of Dublin respectively where such fact shall be committed, in like manner as money is levied that is charged by grand jury upon counties, or counties of cities, or towns within this kingdom, and to be paid to such private



private foldier, or other subject of his m., who shall be so houghed as aforefaid, by equal moieties, viz. on the *25th March and 29th September*, in every year, by the treasurer of the county, or of the co. of the city or town within which the said fact shall be committed, without any fee, allowance, or deduction whatsoever to the said treasurer for paying the same; and that the judges of assize or the judges of his m's. court of k. b., as the case may be, shall, and they are hereby required to confirm such presentment.

*Sect. 2.* . . . When any private foldier in the service of his majesty shall be houghed as aforefaid, the Examinations upon the oath of the said private foldier, taken before any of his m's. justices of the p. for the said county, or co. of a city or town in which said fact shall be committed, specifying the time when, and place in which he was so houghed; And the Oath of the surgeon of the regiment to which such private foldier shall belong, specifying and setting forth the nature of the wound which the said private foldier shall have received; And also setting forth, that the said private foldier has been actually houghed, and that the sinews and tendons of his leg or legs have been cut across; And also a Certificate signed by the commanding officer of the company, troop, or regiment, to which the said private foldier shall belong, certifying that he was a foldier in the actual service of his majesty, and that he has been houghed as aforefaid, shall be sufficient evidence to the GRAND JURY of the county, or co. of a city or town in which such fact shall be committed, that such fact has been actually committed, and that such private foldier has been houghed; and when any other subject of his m., who is not a  
foldier

soldier in the service of his m., shall be houghed as aforesaid, the Examination on oath of the said person so houghed, taken before any of his m's. justices of the p. for the said co. or the co. of a city or town in which such fact shall be committed, specifying the time when, and the place in which he was so houghed ; And the Oath of such surgeon as shall dress or assist in dressing the wound received by such houghed persons, specifying and setting forth the nature of the wound which the said person shall have received, and that he has been actually houghed, and that the sinews and tendons of his leg or legs have been cut across, And a Certificate from the rector, vicar, or curate of the parish in which such fact shall have been committed, certifying that such person has been actually houghed as aforesaid, shall be Sufficient Evidence to the grand jury of the county, or co. of a city, or town in which such fact shall be committed, that such fact has been actually committed, and that such person has been houghed.

*Sec. 3.* Provided always, that in case the person or persons who shall after the passing of this act, hough any private soldier, or other subject of his m., and cut the tendons and sinews of his leg or legs across, shall be apprehended, prosecuted and convicted of such offence within six months next after he or they shall have committed such offence, that then and in such case the inhabitants of the barony or parish in which such fact shall be committed, shall not be liable to pay any sum of money whatsoever to such private soldier, or other subject of his m., as shall be houghed as aforesaid, nor shall they or any of them be charged or chargeable therewith ; nor shall any presentment for the purpose of levying

vying any sum of money whatsoever for the maintenance and support of such private soldier or other subject of his m., on the inhabitants of the barony or parish in which such fact shall be committed, be made by the GRAND JURY of the county, or of the co. of the city or town in which the said barony or parish is situated; nor shall the judges of assize or the judges of his m's. court of k. b. confirm such presentment.

*Sect. 7.* . . . This act shall continue in force for eight years, from the 24th day of June 1784, and to the end of the then next session of parliament.

*24 Geo. 3. chap. 58. sect. 2.*

. . . When any member of any such corporation \* shall make it appear to one of the judges of assize for such county, co. of a city, or co. of a town, that the funds of such corporation are insufficient for the purposes of the said act,† such judge shall examine upon oath into the state of the funds of such corporation; and if upon such examination such judge shall find such funds insufficient to answer the purposes of the said act, he shall direct the GRAND JURY of such county, co. of a city, or co. of a town, to present any sum not exceeding the sum of 100 POUNDS each, as he shall think necessary in addition to the funds provided by the said act, to be raised on such county, co. of a city, or co. of a town; and such grand jury are hereby required to present such sum as such judge shall so direct, and such sum shall be raised, levied, paid, and applied as the other sums directed to be paid by the said act.

\* Viz. any corporation erected in pursuance of 12 G. 3.

f. 30.

† Viz. 12 G. 3. c. 30.



25 Geo. 3. chap. 34. sect. 68.

Whereas by 24 Geo. 3. chap. 29. sect. 13. 20 POUNDS for every unlicensed still, &c. was to be given to such uses and purposes as therein, to be raised by presentment out of the PARISH in which seized: Be it enacted, . . . that in all cases where any Still, Black-pot, or Alembick, not licensed pursuant to law, shall be seized in any co. of a city, save the co. of the city of Dublin, or in any co. of a town, or the liberties thereunto belonging, or in any co. in this kingdom, save the co. of Dublin, the said sum of 20 POUNDS, for each and every such Unlicensed Still, Black-pot, or Alembick, as shall be so seized, shall be raised by presentment of the GRAND JURY at the assizes of such co. of a city, or co. of a town, or co. at large, in which such Stills, Black-pots, or Alembicks shall be seized; And if the same shall be seized in the co. of the city of Dublin, or co. of Dublin, and not within the jurisdiction of the seneschal of any liberty within the same, in which publick money is presented by the grand jury thereof, then by the Grand Jury for the co. of the city of Dublin, or co. of Dublin, at any Easter or Michaelmas term; And if seized within the jurisdiction of any liberty within the co. of the city of Dublin, or co. of Dublin, in which the grand juries of the said co. of the city of Dublin, and co. of Dublin respectively, have not a right to raise money by presentment, then by the Grand Jury, to be sworn before the seneschal of such liberty; And the said money shall be Raised out of the PARISH, or Part of a Parish in the co. of the city of Dublin, or other co. of a city, or co. of town, and the liberties thereof, consisting of more parishes than one, or any extra-parochial

parochial place within the same, or out of such Parish, or part of a parish, in any town in the co. of Dublin, or in any town in any co. at large, consisting of more parishes than one, in which such Still, black-pot, or alembick shall be seized; or if the same be seized in any town not consisting of more parishes than one, or town-land in any co. at large, then the same shall be RAISED OUT OF SUCH TOWN OR TOWN-LAND in such co. at large, in which such Still, black-pot, or alembick shall be seized; And if seized within the jurisdiction of the seneschal of any liberty within the co. of the city of Dublin, or co. of Dublin, then out of such LIBERTY, in which such Still, black-pot, or alembick shall be seized; the said money to be raised, applotted, and levied by such ways and means, and paid and applied in the same manner as the said money by the said last recited act is directed to be applotted, and levied, paid and applied.

*Sect. 69.* Provided always, that such Still, black-pot, or alembick, shall have been condemned by the chief commissioners and governors, of his m's. revenue of excise, if seized within the jurisdiction of the excise office in Dublin, or if seized in other parts of the kingdom, by the sub-commissioners of the district, in which the same shall be respectively seized.

*Sect. 70.* Provided also, that in cases where there shall have been any claim, the time for appealing shall have elapsed, or the sentence of condemnation be affirmed before such presentment shall be given in charge as aforesaid.

*Sect. 71.* . . . The said respective GRAND JURIES . . . are hereby authorized and required to present the said money in manner aforesaid, upon a Certificate signed by the said chief Commissioner

missioner or Sub-commissioners respectively by whom such Still, black-pot, or alembick, shall be respectively condemned, of the signing of which by the chief commissioners or sub-commissioners respectively, proof shall be made by affidavit before one of the judges of assize, or of the court of k. b., or seneschal of the said liberties, such certificate, setting forth the particular city, town, or county, and parish, or part of a parish, extra-parochial place or liberty or town-land where such Still, black-pot, or alembick was respectively seized, and the name or names of such person or persons who seized the same, and that such Still, black-pot, or alembick hath been condemned by such commissioners or sub-commissioners respectively pursuant to law, and at what time the same hath been condemned, and whether such Still had been claimed by any person or persons, and if so claimed, whether any appeal had been brought against such condemnation, and if such appeal shall have been brought, whether the sentence of condemnation hath been affirmed; which presentments shall be confirmed by the judges of assize of the court of k. b., if in the co. of the city of Dublin, or co. of Dublin, and if in any of the said liberties by the seneschals of such liberties respectively.

*Sec. 73.* . . . If any person being an inhabitant of the town-land or other district as aforesaid, in which any unlicensed Still, black-pot, or alembick shall be seized, shall Twenty-four hours before the seizure thereof, give notice in writing to the collector of the district in which such Still, black-pot, or alembick shall be kept, such notice specifying the true name and description of the Town-land or other place, and House thereon, in which such Still, black-pot, or alembick is kept, and



and the name of the person in whose custody or possession the same then is, then, and in such case, the said Commissioners and sub-commissioners shall not give such certificate as aforesaid, nor shall any such Presentment as aforesaid be granted or confirmed.

*Sect. 74.* . . . If any Still . . . kept or used by any common Distiller, who shall have a licence for keeping . . . be of the content of 4 gallons more than the content of the Still . . . for which a licence hath or shall have been granted to such distiller, . . . such Still . . . so exceeding the content . . . described in such license, . . . shall . . . be forfeited . . . and *such* distiller . . . shall forfeit . . . 20 POUNDS.

*Sect. 75.* . . . Every Distiller . . . *licensed for keeping a Still*, may enter into the Dwelling-house or other premises belonging to . . . any person . . . in which a Still . . . or a worm . . . of a Still . . . shall be kept, and for the keeping of which Still . . . or the Still . . . to which such worm . . . shall belong, a License shall not at such time be produced, and *may* seize and carry away the same; And : . . such Licensed Distiller . . . who shall seize any such Unlicensed Still or worm . . . shall . . . receive one Moiety of the Produce of . . . such Still . . . and Utensils, . . . and of all Penalties to which the person in whose possession . . . such Still . . . shall be found, shall be subject on account of *such possession*, and of the Reward which by 24 G. 3. c. 29. s. 13. and by this act, is to be raised on the parishes and other places in which such unlicensed stills shall be found.

*Sect. 76.* Provided always, . . . that every such Licensed Distiller, who shall seize any Unlicensed Still . . . and . . . utensils, shall within six days from the time of seizure, give notice thereof

thereof to the Collector of the district, or the next resident officer of excise, who shall immediately . . take into his custody such still . . and secure the same, . . .

25 Geo. 3. chap. 54. sect. 9.

. . . 24 G. 3. c. 32. s. 32. is hereby construed to extend to prevent all such abuses, except as therein excepted, in all and every of the Streets and Lanes of any city or town, under the several penalties therein enacted, to be levied and recovered in manner and form as therein is directed.

25 Geo. 3. chap. 62. sect. 3.

grants to the GRAND JURY of every co. like powers at summer assizes concerning returns of corn-prices as they have by 24 G. 3. c. 19. s. 20. at spring assizes.

Sect. 15. The Mayor, recorder, aldermen, sheriffs, and representatives in parliament of and for every . . corporate sea-port town or city, and the knights of the shire for the . . counties contiguous . . . , all for the time being, . . are hereby appointed commissioners for providing a proper and sufficient place for holding the corn-market therein; and . . all the powers vested by 31 G. 2. c. 19. or by any other act, . . amending . . the same, in the commissioners therein named, or their successors, . . are hereby vested in the foregoing commissioners, or any seven or more of them, for the purpose of procuring such market-place, and of making wide and convenient passages thereto; and . . all . . the clauses . . in the said acts . . necessary for carrying the trust hereby vested in the said Commissioners . . into execution, shall be of as full force and

and effect, touching the grounds, houses, and tenements, which the said commissioners, or any seven or more of them shall deem necessary . . . for such market-place, and for making wide and convenient passages thereto; and touching the several . . . persons interested therein, as if . . . specially enacted hereby. . . .

*Sect. 16.* . . . If the said Commissioners, or any Seven or more of them, shall chuse to procure such ground, or any part thereof, by lease, . . . for lives renewable for ever, or in perpetuity, *they may agree upon the terms of such lease.* . . .

*Sect. 17.* Provided always, that every such lease shall be made unto, and the rents thereof be payable by the corporation of such town or city, and that all grounds, houses, or tenements, which shall be purchased as aforesaid, shall be paid for by, and be vested in the said corporation, for the sole purpose of being applied for holding a regular weekly market of corn therein; and that so soon as . . . there shall be . . . erected therein all necessary buildings and conveniencies for the sale of corn, the corn-market of such town shall be duly and regularly held therein, and in no other place.

*Sect. 18.* Provided also, that no . . . *more* than Two Acres be procured for . . . such market-place by . . . this act, and that no passage to the same to be made . . . by virtue hereof, be of a less width than fifty feet.

*Sect. 19.* And in order to provide for erecting and finishing the several buildings, walls, fences, and railing in such ground as may be necessary for the convenience of any such market in any such sea-port town or city, being a co. of a town or city, and to flag, pave, and gravel the same: . . . it shall and may be lawful for the GRAND JURY of the



the co. of such town or city, to present at any one or more assizes to be held for the same, such sum or sums of money as may appear to them to be necessary for all or any of the purposes aforesaid, upon an affidavit, a plan and estimate being laid before them as is required by law for the presenting for the building of a bridge, . . . and every sum so presented shall be levied and accounted for in like form and manner as money so presented; and . . . it shall and may be lawful for every such grand jury to present from time to time, all such sums as may be necessary to repair, amend, or enlarge the same, to be levied and accounted for in like manner, and likewise to present such sum, not exceeding 60 POUNDS in the whole in any one year, as they shall think fit, for a salary or salaries for a Superintendant or clerk, or one or more bailiff or bailiffs for cleansing and sweeping the same, and taking care thereof.

*26 Geo. 3. chap. 21. sect. 22.*

. . . In all cases where any Still, black-pot, or alembick, shall be seized in any Town not consisting of more parishes than one, or on any Town-land, the sum of 10 POUNDS only shall be presented on such town or town-land for each and every Unlicensed Still, black-pot, or alembick, seized, . . . within the same, which sum of 10 POUNDS shall be Applotted, levied, and raised upon such Towns and Town-lands, by such ways and means, and paid and applied in the same manner as the sum of 20 POUNDS is by the 25 G. 3. c. 34. s. 68. to be applotted, levied, and raised, paid, and applied; and the treasurer of the county, . . . shall issue his warrant accordingly, . . . and the person to whom such warrant

warrant shall be directed, shall cause such sums respectively to be applotted . . in like manner as other sums raised by presentment of a GRAND JURY . . are applotted . . . .

*Sect. 23.* . . . No chief commissioner or sub-commissioner of excise, shall sign any certificate of the Condemnation of any Still, black-pot, or alembick, for the purpose of obtaining any Presentment pursuant to this or any other act, unless it shall have been proved on the hearing, or trial of the information, on which such condemnation was had, that eight days previous to such hearing or trial, notice of the time and place of such hearing or trial was posted on the Church of the parish or union, if such Still, black-pot, or alembick was seized in a parish or union, Or if seized in any place not within a parish or union, or in any place where there shall not be a parish church, then, that such notice was left at the Dwelling-houses of two inhabitants of such place, not being revenue officers, which notice shall also specify the time and place of the seizure of the Still, black-pot, or alembick therein mentioned ; and the chief commissioners or sub-commissioners respectively who shall hear or try such information, shall cause any person or persons, who shall desire the same, to be sworn to give true evidence on such hearing or trial, and shall receive the testimony of such person or persons; and if it shall appear to such commissioners or sub-commissioners respectively, that any fraud or collusion was practised for the purpose of unfairly subjecting any parish, part of a parish, extra-parochial, or other place, to a Presentment for the Still, black-pot, or alembick seized therein, then, and in such case, the said commissioners or sub-commissioners shall not sign any certificate of the  
O                      condemnation

condemnation of any such Still, black-pot, or alembick, for the purpose of obtaining any presentment on account of the seizure thereof.

*Sect. 25.* . . . No Presentment in pursuance of the said recited act, or this act, shall be granted, unless notice in writing shall have been left at the dwelling-house of the incumbent, curate, or one of the church-wardens of the parish, if the money to be presented be chargeable on such parish or part of such parish, or if chargeable on an extra-parochial place, town, or town-land, then such notice shall be left at the dwelling-house of some inhabitant of such extra-parochial place, town, or town-land, which notice shall signify that application will be made to the court of k. b. and GRAND JURY at the next Easter or Michaelmas term, as the case may be, if such presentment is to be applied for in the co. of the city, or co. of Dublin; or if such presentment is to be sued for at any assizes, then that such application will be made to the then next going judges of assize and general gaol delivery, and Grand Jury for the county, co. of a city, or co. of a town in which such presentment shall be applied for, for a presentment to levy off the said parish, or part of a parish, extra-parochial place, town, or town-land, the sum of 20 POUNDS or 10 POUNDS, as the case may be, for an unlicensed Still, black-pot, or alembick seized in the said parish, part of a parish, extra-parochial place, town, or town-land, as the case may be, on such a day, which notice shall be served as aforesaid, at least seven days before the sitting day of such term or assizes as aforesaid.

*Sect. 26.* . . . Such Certificate of the condemnation of every such Still, for which such Presentment shall be required, and also such affidavit of the perfection thereof, as in the said recited



recited acts are mentioned, together with an affidavit of the service of such last-mentioned notice as is herein mentioned, shall be delivered to one of the judges of the court of k. b., if such presentment shall be applied for in the said court, or to one of the judges of assize for the county, co. of a city, or co. of a town where such presentment shall be applied for, and one of the justices of the said court of k. b., or judge of assize respectively, shall direct the GRAND JURY to be called into open court. and cause proclamation to be made three times in their presence, for all persons to be affected by the said presentment who may be able to give any testimony concerning the Still, black-pot, or alembick mentioned in such notice, to come and appear, and shew if they can, why the sum of 20 POUNDS, or 10 POUNDS respectively, as the case may be, should not be presented for the same, and the court shall thereupon cause every person who shall appear for that purpose, to be sworn on the holy evangelists to give true evidence before the court and Grand Jury, touching the said seizure, and every such person may be examined by the judges of the said courts respectively, and by any of the Grand Jurors in open court, and by any one Inhabitant of the said parish, or part of a parish, extra-parochial, or other place as aforesaid, and by the person suing for such presentment, concerning any matter which may tend to shew whether or not any fraud or collusion was practised between the person who seized the said Still, and any other person or persons, for the purpose merely of subjecting the parish, or part of a parish, extra-parochial, or other place, to such presentment, or whether the parish, or part of a parish, extra-parochial, or other place mention-

ed in such notice as aforesaid, be the parish, or part of a parish, extra-parochial, or other place where such Still, black-pot, or alembick, was really seized, and as to no other matter or thing whatsoever, and after such examination as aforesaid, the Grand Jury shall according to the evidence given before them, find or reject such presentment, and no Traverse shall be received or allowed by any court or judge of any presentment so made or to be made.

*Sect. 27.* Provided always, in every case in which the GRAND JURY shall reject any such presentment, it shall be lawful for the person applying for such presentment so rejected, to apply again for the same at the next presenting term, if in the co. of the city of Dublin, or co. of Dublin, or if in any other county or co. of a city, then at the next assizes to be holden in and for the same, if the court or judge who shall charge the Grand Jury upon such rejected presentment shall certify that there are good grounds for making a second application for such presentment.

*26 Geo. 3. chap. 24. sect. 62.*

. . . If any person . . shall . . forcibly and without due process of law, take the Possession of any house, land, or tenement, and forcibly, and without due authority by law, hold such possession . . or forcibly oppose or resist the execution of any process of the Law for giving or quieting the possession of any house, land, or tenement, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and be Transported to some of his m's. plantations . . in America, or to some other place . . not in Europe, and the court before

before whom . . brought, *may* order such offenders to be transported for 7 years, in like manner as other felons are *by law* directed to be transported.

*Seç. 63.* . . If any person . . shall be presented or indicted by the GRAND JURY at any assizes or general quarter-sessions of the p. in this kingdom for having committed any such offence as aforesaid, such presentment or indictment shall forthwith be returned to the clerk of the council by the clerk of the crown or clerk of the peace respectively acting at such assizes or general quarter-sessions, and the . . persons named in such presentments or indictments, shall by Proclamation by the Lord Lieutenant, or other chief governor . . , and council in this kingdom . . be ordered to surrender . . themselves; and in case such . . persons so presented or indicted and proclaimed, do not within the time limited by such proclamation, Surrender . . themselves to some . . justices of the p. of the county, . . where such presentment or indictment shall be made, . . they . . shall . . be deemed guilty of felony, and Transported . . ; and . . every . . person . . who shall knowingly Conceal, aid, abet, or succour . . any person . . after the time . . *such person was* so presented or indicted, and proclaimed, shall be guilty of felony, and shall be transported for . . 7 years, . . *to America, or such place not in Europe, as court shall direct.*

*Seç. 64.* . . The Printed Proclamation wherein such . . persons are . . mentioned to be presented or indicted by the GRAND JURY of any county . . in this kingdom, at the general assizes or quarter-sessions, to be guilty of the offences



offences aforesaid, shall be . . . adjudged sufficient evidence against such persons ;

*Sect. 69.* . . Every Clause in any act heretofore passed, relating to the Transmission of persons under any Sentence, Rule, or Order of Transportation, or to the contracting for such Transportation, or to presenting money to defray the Expences thereof . . . is hereby repealed.

*Sect. 71.* . . It shall and may be lawful for the GRAND JURY of any co. where . . . Offenders (*against 16 Geo. 3. c. 21*) \* shall be prosecuted to conviction, to present any sum of money not exceeding the sum of 20 POUNDS, at any assizes, to be levied on such Co. or any Parish or Barony in such Co. as such Grand Jury shall think proper, and to be paid to any Prosecutor or Prosecutors of such Offenders ; and . . . it shall be lawful for the judge, if he shall think proper, to fiat the same.

*26 Geo. 3. chap. 27. sect. 1.*

. . . It shall and may be lawful for the GRAND JURY of every county, co. of a city, and co. of a town, . . . (the Grand Jury of the co. of the city of Dublin . . . excepted) at the Spring and Summer Assizes in every Year, And at each East. and Mich. Term in the co. of Dublin, to appoint the Clergyman who Distributes or Directs the distribution of the County Allowance of Bread to the Prisoners confined in the Gaol of such county, co. of a city or town ; Or, if they shall think proper, a Surgeon, Physician, or Apothecary Resident in the Town where such Gaol is situated, to be INSPECTOR of such GAOL, And also of any Bridewell, or House of

\* Commonly called the Whiteboy-Act.

Correction, within such County, co. of a city or town, And . . . such Inspector shall be required to observe the several Regulations herein after mentioned, and to see the same carried fully into effect.

*Sect. 2.* Provided always, that in making such appointment the Clergyman who distributes the bread to the prisoners as aforesaid, shall be the first object with the GRAND JURY in their choice, if such clergyman will accept such appointment, and that there does not appear to such Grand Jury any just or reasonable objection to such clergyman: And provided also, that in case of refusal on the part of such clergyman as aforesaid, and also of such Surgeon or Physician as aforesaid, to accept the office of inspector, or if it shall appear upon sufficient evidence to such Grand Juries aforesaid, that the clergyman, physician, or surgeon aforesaid, after having accepted the said office, shall at any time neglect to execute or fulfil the duties thereof, it shall and may be lawful for the Grand Juries aforesaid, to appoint Any other Fit and Discreet person residing within one mile of such gaol, to be inspector thereof as aforesaid.

*Sect. 3.* . . . It shall and may be lawful for such GRAND JURIES at the spring and summer assizes of every year, and at East. and Mich. term, in the co. of Dublin, after such appointment, to present a sum not exceeding 10 POUNDS sterling, to be paid to such inspector appointed as aforesaid, as a recompence for the care and attendance necessary in the execution of the several duties of such office; provided it shall appear to them that such inspector has duly and regularly executed the several duties herein after required, which sum or sums the said inspector shall be entitled

titled to receive, exclusive of any other salary or allowance which may be granted to him as Clergyman, for delivering out bread to the prisoners, or as Physician, Surgeon, or medical assistant, for visiting and attending the prisoners confined in the gaol of such county, co. of a city or town. \*

*Sect. 22.* . . In every prison . . there shall be one or more common hall or common halls, kitchen or kitchens, to which prisoners of every denomination shall have access in regular rotation, that a constant fire shall be kept up in such hall for ten hours in every day, from the 29th *September* to the 25th day of *March*; that is to say, from the hour of ten in the morning, to the hour of eight in the afternoon, and for five hours in every day, from the 25th day of *March* to the 29th day of *September* in every year; that is to say, from the hour of eleven at noon to the hour of five in the afternoon; And it shall and may be lawful for the Grand Jury of every county, co. of a city or town in Ireland, at every spring and summer assizes, and at every East. and Mich. term, in the co. of Dublin, to present such sum or sums of money as may be requisite for the purposes of providing coals, turf, or other fuel, and also for the purpose of furnishing sufficient bedding and blankets for the prisoners in each and every gaol, house of correction, or other prison within such county, co. of a city or town as aforesaid.

*Sect. 23.* Provided always, that such sum or sums of money so presented, shall not exceed 60 POUNDS in any one year, and that the ex-

\* A great part of this act is omitted because relating only to the prisons of the city of Dublin.



penditure thereof shall be duly accounted for on oath at the next following assizes, after the presentment is made by the inspector of prisons for such county, co. of cy. or tn. and the overplus of the said presentment, if any, shall be duly brought to the credit of such county, co. of a cy. or tn.

*Sec. 30.* . . . The Lord Lieutenant, or other Chief . . . Governors of this kingdom for the time being may appoint a fit and proper person, with an adequate Salary or allowance not exceeding 200 POUNDS *per ann.* to be INSPECTOR GENERAL of Prisons, which Inspector General shall visit every prison in this kingdom once at least, or oftner if he shall think necessary, within the course of two years from the date of his appointment, and also, shall give his advice and assistance in choosing proper plans and situations where new gaols and other places of confinement are to be erected, and point out any additions, alterations, or improvements which he may deem requisite to be made in any of the old gaols and other places of confinement, for the preservation of the health of the prisoners, and for the safe custody of the same; And that he shall also receive reports from the Inspectors of Gaols in the different cos. in Ireland, (the Inspectors of the Gaols in the co. of the city of Dublin excepted,) and shall also arrange and digest the same, or so much as shall have been duly transmitted to him, and present a full and accurate state and account thereof, at the bar of each house of parliament, on the first day of every session of parliament, which shall be held during the continuance of such office, and likewise a separate report of such prisons as he shall have visited in person up to that period; And in case

case any of the said Inspectors shall neglect to transmit their reports to the Inspector General as herein directed, the said Inspector General shall state the names of such Inspectors who may have been guilty of such neglect in his report to both houses of parliament.

*Secl. 31.* Provided always, that the duration of the said office of Inspector General shall not exceed the term of two years, reckoning from the date of his appointment, and likewise that it shall not be lawful for the Deputy Vice-Treasurer, or any of the officers belonging to his M<sup>s</sup>. treasury, to pay any Salary, gratuity, or reward to the said Inspector General of Prisons, until he shall have produced two Certificates, one from the chief clerk of each house of parliament, setting forth, that said Inspector General has delivered at the bar of each of the said houses of parliament, the several reports required by this act.

*Secl. 32.* . . The following Regulations shall be carried into force in every Gaol, House of Correction, Marshalsea, Bridewell, and other Prisons throughout this kingdom, that is to say,

1st. That it shall not be lawful for any woman to be keeper of any Gaol.

2d. That every Gaoler shall reside in his prison, and that he shall not be an under sheriff, or a bailiff, nor shall he hold any office or employment that may require his attendance in any other place.

3d. That no Tap shall be kept in the prison, nor shall the Gaoler, nor any person under his authority or appointment, directly or indirectly, sell to the prisoners any malt or spirituous liquors, or any manner of provisions whatsoever.

4thly.

4thly, That the clergyman appointed to deliver out the common or county allowance of bread to the prisoners, shall attend the prison for that purpose three days in each week; he shall also take care that it is properly distributed according to the wants of the prisoners, and that it is of a good quality and proper weight, and that it is not more than forty-eight hours since the same has been baked, and that he shall not suffer the prisoners to commute the said allowance, by receiving the value thereof in money, or in any other manner whatsoever.

5thly. That every room in the prison shall be daily Scraped and Swept, and that it shall be Washed once a week in summer, and once a month in winter, and that twice at least in every year the inside of each of the rooms and cells of the prison shall be White-washed, viz. one month before the lent and summer assizes respectively, and that sufficient Bed-steads, Ticken for beds and Blankets, be provided for such prisoners as are in want of covering; And also, that sufficient Fuel shall be provided for the common hall or halls of every such prison respectively, and that every prisoner shall be supplied with fresh Straw once in every month.

6thly. That the Prisoners who are Sick shall be separated from those who are in Health, and the surgeon or medical assistant shall regularly attend the former and supply them with medicine, and also with broth, or other necessary sustenance.

7thly. That Debtors shall be separated from felons and other offenders, and that persons charged with highway-robbery, house-breaking, murder, or other capital offences, shall not be suffered to have any intercourse with prisoners confined



confined for offences which are not capital, and that men and women prisoners of every denomination shall be kept separate.

8thly. That in every Gaol there shall be one or more sufficient, clean and well secured Yards for the convenience of prisoners, also a Bath and one or more Necessary to which the prisoners shall have free access; That no hogs, horses, cows, or other cattle, or poultry of any kind, shall be kept in the said yard; and that all prisoners shall be admitted at proper times in succession to air themselves in such yard or yards, for at least two hours every day, except prisoners under sentence of death, and such persons as are riotous or disorderly, or where there may be sufficient reason to apprehend that an escape may be attempted.

9thly. That no prisoner, even when condemned to death, shall be put into a Dungeon or room under ground, unless in consequence of outrageous conduct, or for an attempt to break Gaol.

10thly. That no Spirituous liquors of any kind shall be admitted into the prison on any pretence whatsoever, unless by a written order from the physician, surgeon, apothecary, medical assistant, or inspector, or any penny-pot, or garnish, be taken from prisoners on their entrance into prison, on any account or pretence whatsoever.

11thly. That a Table of Fees shall be made out by the Inspector General of Prisons, and the Inspector of Prisons in the co. of the city of Dublin, to be laid by them before his M's. court of k. b., which table, if it shall be approved by said court, shall serve as a general regulation for fees throughout this kingdom, and the Inspector General of Prisons shall distribute copies thereof to the several county Inspectors, to be by them placed

placed in a conspicuous part of the prisons under their inspection; And the Inspector General of Prisons shall likewise cause several copies of this act to be printed on one side of a sheet of paper, and pasted on boards, which he shall also distribute among the several county Inspectors to be by them placed in the common hall of every prison.

12thly. That the several local Inspectors of Prisons shall each of them visit the Gaol or Gaols under his inspection twice at least in every week; that at each visit he shall go into every room in the prison, and if any complaints are made by the prisoners against the Gaoler or his agents, the Inspector shall immediately enquire into the particulars of such complaint and report accordingly.

13thly. That the said Inspectors shall each of them report specially on oath in the manner herein directed, the state of the prisons under their inspection respectively, to the magistrates at the quarter-sessions, and likewise to the judges at the lent and summer assizes, and they shall also, twenty-one days at least before the sitting of parliament, transmit a similar report, together with a calendar of the prisoners actually in custody, setting forth the particular crime for which each prisoner has been committed, and likewise a general statement of all prisoners who have been tried, whether acquitted or condemned, specifying the several crimes of which they were accused, and the sentences of those who may have been found guilty, to the Inspector General of Prisons, to be laid by him before both houses of parliament on the first day of each session.

*Sect. 33.* . . . The Inspectors of Gaols or Prisons to be appointed in pursuance of this act, shall,

shall, in their reports of the state of the respective Gaols or Prisons under their inspection respectively, insert a copy of the foregoing thirteen regulations at full length, and in a separate column opposite to each of the said regulations, shall certify and state how far each of them has been observed and complied with, and shall also state and set down how far the several other directions contained in this present act have been observed and executed.

*Sect. 37.* . . . So soon as . . . office of *Inspector General of Prisons* shall cease and determine, all reports directed by this act to be made to him the said *Inspector General of Prisons* by the several *Inspectors of Prisons* in counties, cos. of cities and cos. of towns in this kingdom, shall thereafter be made to the *Inspector of Prisons of the co. of the city of Dublin*, for the time being, and shall by him be digested and reported at the bar of each house of parliament, at the first day of every session of parliament, in like manner as is herein before directed to be done and performed by the said *Inspector General of Prisons* during the continuance of his office.

*Sect. 38.* . . . All and singular the several sums of money directed by this act to be presented by the *GRAND JURIES* of the several counties, cos. of cities, and cos. of towns in Ireland, shall be raised, levied, applotted and assessed upon the co. at large, after the same manner as presentments made by the *Grand Jury* for county charges are usually levied and raised.

*Sect. 39.* . . . The *Clerk of the Crown* . . . is hereby Required at each *Assize*, and general gaol delivery in every county, co. of a city, and co. of a town in Ireland, and at every special commission therein, and at every quarter-session, term, or commission of the co. of the ci. of Dublin,



Dublin, to furnish the Inspector of Prisons for the time being, of the said county, co. of a city or town, with a complete schedule of the several prisoners brought to trial at each assizes, and general gaol delivery, and at each special commission, and at each and every quarter-sessions, term, or commission of the co. of the ci. of Dublin, specifying the particular crime of which each prisoner is accused, and stating the sentence of the judge on each trial, and whether the said several sentences have been executed, or whether the whole or any parts of them have been remitted, and the several Inspectors of Prisons are hereby required to report, and transmit the same in manner herein before directed.

*Sect. 40.* . . . From and after the passing of this act, . . . all . . . judges of assize and general gaol delivery are hereby directed and required to give this act in charge to the GRAND JURIES of the several counties, co. of cis. and tps., in their respective circuits throughout this kingdom, or so much thereof as concerns such Grand Juries, and to require them to comply therewith as the law directs, and to make such presentments as are herein mentioned and directed, at the first assizes after the passing of this act. \*

*Sect. 41.* . . . If any of the GRAND JURIES of the said counties, . . . after their having been properly called upon and directed by such judges to form such presentments as are mentioned in this act, shall, . . . neglect or omit to make such presentment or provisions respectively before the last day of the said assizes † . . . in every such case

\* † These expressions in sect. 40. and 41. seem to limit these directions to the judge of charging the Grand Jury, and Fining the county, to the first assizes after passing this act, but the 13th sect. of 27 G. 3. c. 39. seems to shew that the framers of that clause were of a contrary opinion.

the said Judges respectively are hereby required . . . to impose such fine . . . on such county . . . as they shall deem necessary, not exceeding . . . 200 POUNDS.

*Sect. 42.* . . Such . . . fines when levied, shall be applied to the repair or enlargement of the several prisons within the said county, or to the providing necessary accommodations for the prisoners confined therein, and . . . accounted for . . . as if . . . regularly presented by the respective GRAND JURIES.

*Sect. 43.* . . Every fine imposed upon any county . . . by the judge . . . of assize, pursuant to this act, shall be . . . applotted and levied upon the County at Large, in the same manner that presentments made by the GRAND JURY for county charges are . . . applotted and levied.

*Sect. 44.* . . From and after the passing of this act, whenever any money may have been presented, which remains unexpended, or shall be hereafter presented by any GRAND JURY of a county, co. of a ci. or co. of a tn., (by law empowered to raise money by presentment) for the purpose of erecting any new Gaol, Bridewell, or Court-house, or for enlarging any Gaol, Bridewell, or Court-house, or the Courts and Outlets thereunto belonging, it shall and may be lawful for the Governor or Governors, and the Representatives in Parliament of such County, or any two of them, as often as it shall be declared by such Grand Jury to be necessary to purchase, or rent any houses, buildings, lands, tenements, or hereditaments, for the purpose of carrying the works so presented into execution, to procure the same to be valued by a Jury in like manner, and with the same powers as the Commissioners for widening the streets of the ci. of Dublin, are now by law authorized to do.

*Sect.*

*Sect. 46.* . . . All Statutes now in force for the Regulation of . . . Prisons, and . . . Punishment . . . of . . . Gaolers shall in all things remain in full force . . . unless so far as the same are altered or amended by this Act . . .

26 Geo. 3. chap. 45. sect. 1.

. . . The GRAND JURIES of the respective Counties, co. of cis. and co. of tns. throughout this Kingdom, . . . are hereby empowered to grant and levy on the respective Counties aforesaid, such Sum or Sums of Money as shall be necessary for rebuilding or repairing such Bridewells and Prisons as are now existing, or for building new Bridewells or Prisons in such places as shall be deemed by them necessary and expedient.

*Sect. 2.* . . . It shall and may be lawful for the said GRAND JURIES to grant by Presentment or otherwise, such further Sums as shall be necessary to provide proper Accommodations for the persons who now are, or hereafter shall be confined in any of the said Bridewells, And also to provide proper and competent Salaries to be given to the Keepers of said Bridewells, And also to provide the usual Allowance of Prisoners Bread for the Persons so confined, all which Presentments shall be accounted for in like manner as is prescribed by the different Acts heretofore enacted, or which shall in future be enacted for regulating Co. Presentments.

*Sect. 3.* . . . It shall and may be lawful for the Magistrates of the respective Counties, and Cos. of Cis. and Tns. aforesaid, to commit any . . . Persons charged before them with any Felony or other Crime to any of the said Bridewells, And the Keeper or Keepers of each of said Bridewells



wells are hereby required to receive all such Persons so committed into their Custody and safe Keeping, and . . . the said Keeper or Keepers of any of the said Bridewells shall be severally and respectively liable and subject to all fines and Penalties directed by Law to be imposed on Gaolers who shall suffer any Person . . . committed to their charge to break Gaol, or escape in any manner whatsoever.

*Sect. 4.* . . . The Sheriff or Sheriffs of each County, Cos. of Cis. or Tns. as aforesaid, for the time being, shall have the care and direction of all such Bridewells as now are or hereafter shall be Built within this Kingdom, with full power and authority to make such Rules and Regulations agreeable to the Laws now in being for all and every of the said Bridewells, and to enforce the due execution of the same; And . . . each and every of the said Bridewells, and the Keepers thereof, shall be . . . subject to all and every the several Rules, Restrictions, and Regulations contained in the different Acts made for the Government and Regulation of the publick Gaols and Prisons throughout the Kingdom, or which hereafter shall be made for that purpose.

*Sect. 5.* . . . The Sheriff or Sheriffs for the time being of each County as aforesaid, shall take the charge of Transmitting, and safe conducting to their respective County Gaols all Persons confined in all or any of the said Bridewells, twice at least in every year, or oftner, if need shall be, previous to the Assizes or General Gaol-delivery to be held for each Co. as aforesaid respectively.

*Sect. 6.* . . . The respective GRAND JURIES of the said Counties . . . are hereby required to grant such Presentments as shall be necessary to defray the  
the

the expence of Transmitting such Prisoners as  
aforesaid.

26 Geo. 3. chap. 50. sect. 14.

... More effectually to preserve the Salmon  
Fry : . . All . . Constables . . and Sub-consta-  
bles for each Barony in any County, Co. of a  
Ci. or Tn. in this Kingdom, are hereby required  
in . . every year, twice in every week, from  
*1st of March to 15th May*, to inspect and exa-  
mine all Mill-Dams, Weirs, Sluices, Fishing-  
Weirs, and other Places on any River where  
such Fry are usually on their passage to the Sea ;  
and if they shall discover any Net, Bush, Basket,  
or Engine affixed or erected for the purpose of  
taking such Fry, or find that any Quantity of  
such Fry, has been taken at such Mill-Weir,  
Sluice, or other-Weir as aforesaid ; or find any  
number of such Fry in possession of any  
Owner . . of such Mill, Sluice or Weir, they  
are hereby required to give immediate informa-  
tion of such Offence to any Justice of the P. for  
said County where the Offence is committed,  
and shall on proof made of such Offence, be en-  
titled to the full Sum adjudged, to be levied by  
such Justice of the P. on the . . persons so of-  
fending, in pursuance of the 24 G. 3. chap. 40.  
*sect. 8.* . . . And also a further sum of 5 POUNDS,  
to be raised by the GRAND JURȒ at the next  
General Assizes for said County, Co. of a Ci. or  
Tn. off the Barony where such Offence is com-  
mitted, and paid to the said Constable or Consta-  
bles by the Treasurer of said County, on Affida-  
vits being made of their having given Informa-  
tion, and having procured the penalty to be  
levied as aforesaid : Provided, That if any such  
Sub-constable, upon being required to Inspect

the Mills, Dams, Sluices, and Weirs, in his respective Barony during such Season as the Salmon Fry are in their Passage to the Sea, by any person . . . qualified to appoint Inspectors of the Inland Fisheries as aforesaid shall refuse or neglect to do the same, and to give Information of any Offence committed against the intent and meaning of this Act which he may at said time discover, Every such Sub-constable shall, upon Information upon Oath being made before any one Justice of the P., of such neglect or refusal, be rendered incapable of receiving from the Treasurer the Half-Years Salary, as presented for such Constable at the preceding Assizes, but shall forfeit the same, to be applied to the Use of the Co. Infirmary. . . .

*Seet. 24.* . . This Act . . shall continue in full force for Nine years from the first day of May next, and from thence to the End of the then next Session of Parliament.

*27 Geo. 3. chap. 35. sect. 14.*

. . . Any Person . . who shall take, kill, or destroy *Vermin*, shall receive for every Otter or Martin 5 SHILLINGS, for every Weasel 1 SHILLING, for every Cormorant or Kite SIX-PENCE, for every Scal-Crow or Magpye 3 PENCE, and for every Rat ONE-PENNY; which said several Sums, on proof being made, by producing to the GRAND JURY of the County, Co. of a Ci. or Co. of a Tn. in which such Vermin was taken, killed, or destroyed, an Affidavit sworn before any two Justices of the P. for such Co. in the following form, which Oath such Justices are hereby empowered to administer, each and every Grand Jury at the General Assizes throughout this Kingdom, shall and are hereby required to present



present to be levied in the usual manner on the Co., and paid to the persons entitled to the same; which said several Sums shall be in lieu of all rewards now payable by Law for destroying such Vermin.

Co. of        I        of        in the said  
Co. do swear, that I have destroyed within this Co.,  
since the last Assizes held for the same, the following  
Vermin, viz.

Provided that a Certificate annexed to such Affidavit, signed by such two Justices, shall be produced to such Grand Jury, in the following form:

We        and  
Justices of the Peace for this County, do Certify that  
of        hath produced  
to us the heads of the abovementioned Otters, Martins,  
Weasels, Rats, Cormorants, Kites, Scal-crows, or  
Magpies.

T.        27 Geo. 3. chap. 37. sect. 10.

... It shall and may be lawful for the GRAND JURY of every County, co. of a ci., or co. of a tn. to present any Sum not exceeding 40 SHILLINGS for every General Sessions, to be raised off such Co. at Large, and paid to the Clerk of the Peace for his trouble in performing the several Duties imposed by this (*Baking*) Act.

Sect. 15. . . Nothing herein contained shall . . . extend to any City or Town for which a particular Statute has been Enacted, and which is now of force.

T. 27 Geo. 3. chap. 39. sect. 8.

Be it Enacted, . . . That the GRAND JURIES of the several Counties, co. of cis. and cos. of tns. in this Kingdom may be empowered to present . . . such . . . Sums of Money as shall appear to them to be necessary at the Spring and Summer Assizes to be held for each respective Co. for providing and Supporting a Ward or Wards for the reception and support of such Ideots and Insane Persons as shall be, from time to time, recommended by Two or more Magistrates of such Co., which Magistrates shall certify that such Persons so recommended, are Ideots or Insane, and Destitute of any means of Support, said Sums to be accounted for by the Surgeons of said Co. Infirmaries, in the same manner as the Provisions allowed to Prisoners in Co. Gaols are accounted for.

SECT. 10. . . It shall and may be lawful for the Inspector of every Gaol, Bridewell, or H. of Correction in this Kingdom, and he is hereby required to procure and provide Bread, Meal, Potatoes, or Such other Food as he shall judge most proper, to the Value of not less than 3 PENCE per day for every Prisoner confined for any Offence under his Inspection, and to cause the same to be regularly distributed among the said Prisoners twice in every Week, to wit, on Sundays and Thursdays, in presence of said Inspector, and the Gaoler or Keeper of such Prison, and the GRAND JURIES of the several Counties, cos. of cis. and cos. of tns. in this Km., are hereby . . . required to make such Presentments in advance, as they may deem necessary, to provide for the same, such Presentments to be in lieu of the Allowance for Bread hitherto granted

granted for the Maintenance of Prisoners; and the several sums so presented shall be paid over to the Inspectors aforesaid, and shall be duly accounted for by them upon Oath.

*sect. 12.* . . . The . . . Inspector-General of Prisons . . . is hereby required to visit and Inspect, as often as he shall think fit, all Mad-Houses and places where Idcots or Lunaticks are confined, as well as Gaols, and Prisons throughout this Kingdom; and if any person or persons shall Hinder, molest, or prevent said Inspector-General from Visiting and Inspecting any of the places of Confinement, herein before named, Such Person or Persons being duly convicted thereof, upon Oath before any one Magistrate or Justice of Peace in the Co. or Ci. where said hindrance was made, he or they shall be fined in any Sum not exceeding 50 POUNDS, to be recovered by Distress and Sale of the Goods of the Person or Persons so offending.

*27 Geo. 3. chap. 40. sect. 3.*

. . . The Lord Lieutenant, or other Chief . . . Governors of this Km. for the time being, by and with the Advice of the P. Council, may divide such of the several Counties at Large of this Km. as they shall think fit, into such number of Districts as to them shall seem meet for the purposes of this Act, and none other; every such District to consist of a Barony, Half-Barony, or such number of Bars. or H. Bars. within the said Cos. respectively, as . . . such Chief-Governors and P. Council shall appoint. . . .

*sect. 4.* . . . It shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor . . . aforesaid, from time to time to Nominate and appoint one principal Peace Officer in each such District respectively; such principal Peace



Peace Officer to be called Chief Constable of such District, and . . . the GRAND JURY of each County at large at the Assizes shall from time to time Nominate and appoint Sixteen proper persons, being Protestants, to act as Sub-constables within every such District; Such Sub-constables to be in lieu and in the place of all Sub-constables appointed or to be appointed by such Grand Juries for Baronies or Half-Baronies according to the Laws now of force; . . .

*Sec. 6.* . . . There shall be paid to every Constable, who by Virtue of a Mittimus under the Hand and Seal of any Justice of the Peace, shall carry to, and safely Lodge in the Co. Gaol, any person or persons charged with any Offence against the Peace, and committed to such Constable by such Justice, the Sum of 3 PENCE per Mile, for each Mile the person or persons so committed shall be carried; and also . . . the like Sum shall be paid to each of such Number of Protestants armed with fire-arms, as such Justice of the Peace shall think necessary for guarding such Prisoner or Prisoners to the Co. Gaol, and who shall go along with such Constable to the Co. Gaol with such Prisoner or Prisoners; which said Sums shall be raised by the GRAND JURIES of the respective Cos., in the same manner as the County Charges are raised.

*Sec. 11.* . . . The GRAND JURY of each County at large, shall, and may at each Assizes, Present any Sum not exceeding £12. nor less than £10. for every such Sub-constable in every such District, the same to be raised out of every Barony, and Half-Barony within such District, in such proportions as the Presentments of the County at large are raised on such Bars, and H. Bars. respectively, such Sums so to be Presented and raised

raised for such Sub-constable, to be paid to them respectively by the Treasurers of said Cos. respectively.

*Sect. 12.* . . No Sum whatsoever presented for any such Sub-constable shall be paid to him unless it shall appear by a Certificate of the Justices who shall have attended at the General Sessions of the Peace holden within the District in which such Sub-constable had been appointed, next immediately preceding such Assizes, or, if no General Sessions shall have been held within such District subsequent to the then preceding Assizes, then by a Certificate of the Justices who shall have attended at the General Sessions holden within any adjacent District in such Co., next immediately preceding such Assizes, And by a Certificate of the Chief Constable of the District that such Sub-constable duly executed the Duty of his Office, and behaved properly therein; and the Judges of Assizes respectively may then, and not before, discharge the querie on the Sum presented for each Sub-constable who shall appear by such Certificates, to have duly Executed his Duty, and behaved properly in his Office as aforesaid; And in case it shall appear to such Judge of Assize, that any such Sub-constable has neglected duly to Execute the Duties of his Office as aforesaid, then and in every such case, it shall and may be lawful to and for every such Judge of Assize, to Dismiss and Remove such Sub-constable from his Office, and thereafter the GRAND JURY at such Assizes shall forthwith appoint a proper Person to act as a Sub-constable in the place of every person so dismissed and removed.

*Sect. 23.* . . All Fines and Penalties inflicted by Virtue of this Act, and levied by Virtue of  
a Warrant

a Warrant of any Magistrate or Magistrates, shall be paid to the Treasurer of the County in which the same shall be levied, and shall be by him accounted for before the GRAND JURY of such Co., and be applied in such manner as such Grand Jury shall direct, towards defraying the Expences which shall incur in the Execution of this Act.

*Secl. 24.* . . This Act shall . . be of force for Three Years, and from thence to the end of the then next Session of Parliament, and no longer.

*T. 27 Geo. 3. chap. 44. secl. 1.*

Whereas in some Counties no House has been Erected pursuant to 12 Geo. 3. chap. 30, And the Poor of the said Cos. have been received in the House of Industry belonging to the County of the City or Town next adjoining to the said County, . . Be it Enacted, . . that whenever any County shall not have provided a H. of Industry in such County, it shall and may be lawful for the GRAND JURY of the said County in every such case to present, as long as they shall think proper, and until such time as a H. of Industry shall be Built in the said County, and no longer, at any Spring Assizes, any Sum or Sums of Money not exceeding the Sums in the said . . Act mentioned, from Time to Time, for the purposes of the said H. of Industry in the said County of a City or tn., as if the said H. of Industry was Situate in the said Co. at large, and to direct that the said Sum or sums so presented shall be paid over from Time to Time to the Treasurer of the said H. of Industry. . . .

*Secl. 2.* . . During such time as said Presentments shall be made, and the said Sums so presented paid to the said Treasurers, the said H. of



of Industry shall be considered to all Intents and purposes the H. of Industry for the Use of the said County, as well as of the said Co. of a City or tn.

*Sect. 3.* . . This Act shall continue in force for four Years, and no longer.

*T. 28 Geo. 3. chap. 8. sect. 1.*

. . . 7250 POUNDS shall be applied to encourage the growth of Flax-seed in this kingdom, . . the same to be paid by the Vice-Treasurers . . to the Trustees of the Hempen and Linen Manufactures. . . .

*Sect. 2.* . . Said Trustees shall . . Publish Premiums for encouraging the growth of Flax, and promoting a sufficient supply of Irish Flax-seed in all or any of the Counties of this Kingdom, . . under such regulations as they shall think proper.

*Sect. 3.* Provided always, That every Claim for every such Premium shall be made before, and shall be adjudged in manner hereinafter mentioned, by the said Trustees, on the Report upon Oath of such of their Officers as they shall appoint for that purpose, previous to the Spring Assizes in the year 1789.

*Sect. 4.* . . So soon as the said Trustees shall have determined and Published the proportions of Money to be distributed in each County for such Premiums, they shall give Notice thereof to such of their Officers as they shall appoint for that purpose, who are hereby required to . . cause to be posted a Copy of such Notice, Specifying in such Notice the time and place of payment on the Door of the Co. Court-House, within 12 Days after he shall have received the same.

*Sect.*

*Sect. 5.* . . . *Said Trustees* are hereby required to appoint one of their Inspectors, or some other proper person, to attend at the time and place so Specified, and there to remain a Sufficient Time for the purpose of paying said Premiums.

*Sect. 6.* . . . Every person appointed by the said Trustees to pay the said Premiums *may lawfully* Keep to his own Use, as a Reward for his trouble and attendance, the Sum of 6 PENCE for every 20 SHILLINGS which he shall pay to any person for Premiums adjudged as aforesaid.

*Sect. 7.* . . . Every . . . person appointed to pay the said Premiums . . . shall pay . . . to every person to whom any Premiums shall be adjudged, the full amount . . . *thereof*, deducting thereout such part thereof as shall be directed by the said Trustees for the payment of Surveyors or Inspectors . . . and . . . shall Enter all payments by him made, and Monies by him received, in a Book to be by him kept for that purpose, and shall at the Summer Assizes lay before the GRAND JURY his account of all such Monies received and paid by him, Verified by Affidavit, to be by him Sworn before one of the Judges of Assize for said County. . . .

*Sect. 8.* . . . All Sums of Money heretofore \* Issued to the Treasurers of any Counties, and

\* By 20 G. 3 c. 33. it was enacted, that all Bounty on the importation of Flax-seed should cease on the 24 June 1780, and a Grant of 7250l. per ann. commence from that day, to be distributed by direction of the Trustees of the Linen Manufacture on Claims, to be adjudged in each County by its Grand Jury. Grants of the like annual Sum for the like purpose have been continued in every succeeding Session; but in Session 1786, the Adjudication of the Claims was no longer granted to the Grand Juries, but to the aforesaid Trustees, and so has continued to be by Acts of 1787 and 1788.

which

which remain in their Hands after Payments of all Claims adjudged by the respective GRAND JURIES, or Majority of Persons who compose the same, and after payment of all such fees and Deductions as aforesaid, and likewise all Sums of Money which shall or may be Issued to them, or to Inspectors, or any other person or persons, for payment of claims to be adjudged at any ensuing Assizes, and which shall remain in their hands after payment of all claims so adjudged, and of all such Fees and Deductions as aforesaid, shall and may be applied for encouraging the Growth of Flax-seed in this Km. in such manner as the said Trustees shall direct from time to time, and shall be paid upon Demand by every such Treasurer, Inspector, or other person, to the Order of said Trustees without fee or reward.

*Sec. 10.* . . . If any Inspector, or other person, shall omit to post on the Door of the County Court-House such notice as aforesaid, within 12 Days after he shall have received the same, or shall omit to send the Secretary, or other Chief Officer of the said Trustees, a Copy of the Entries hereby directed within the time herein before appointed, Or if any Inspector, or other person, shall omit to Verify by Affidavit his Account, or to lay his Account in manner aforesaid before the GRAND JURY, or to send or Deliver a Duplicate thereof, Verified in like manner, to the said Secretary, or other Chief Officer of the said Trustees, as herein before directed, every such Inspector or other person shall for every such Offence respectively forfeit the Sum of 40 POUNDS, to be recovered by civil Bill by any person who shall sue for the same.



T. 28 Geo. 3. chap. 25. sect. 1.

The 27 G. 3. c. 37. shall continue and be in force for 21 Years, from 1st June next, viz. 1788, and until the end of the then next Session of Parliament.

Sect. 2. Provided always, that nothing in this or the above recited Act contained shall extend . . . to the Towns of Drogheda or Wexford, and their Liberties.



F I N I S.

# A P P E N D I X

## F O R S E S S I O N 1789.

*To 29 Geo. chap. 13. sect. 1—8, 10.*  
**ENACTS** for the current Year Clauses similar  
to those of 28 Geo. 3. ch. 8.

*To 29 Geo. 3. ch. 40. sect. 11.*  
*Revives and continues till 24 June, 1796, and*  
*to End of then next Session, the 20 Geo. 3. c. 39.*

*Sect. 12.* Provided always, That the receiving into the Church such Conforming Priest, as in said Act is mentioned, by any Arch-Bishop or Bishop of this kingdom, shall be Deemed as effectual for entitling such Priest to the Maintenance in said Act mentioned, as if he had been so received by the Arch-bishop or Bishop of the Diocese wherein he resided and officiated as a Popish Priest.

*Sect. 13.* And Provided always, That nothing in said Act, or in any other Act contained, shall extend, or be construed to extend, to entitle such Conforming Priest, as in said Act is mentioned, to any Maintenance, save only

A

from

from that County wherein he last officiated as a Popish Priest before the Time of his Conformity.

*N.B. The Revived Act, viz. 20 G. 3. c. 39. referred to by this Act, expired in 1788, and Enacts as follows :*

... Every Popish Priest who hath heretofore conformed to the Protestant Religion, or who shall become Protestants during the Continuance of this Act, and shall be approved of as a Convert, and shall be received into the Church by the Arch-bishop or Bishop of the Diocese wherein he resided and officiated as a Popish Priest, and who shall conform himself to the Church of Ireland as by Law Established, and who shall have taken the Oaths and subscribed the Declarations in such Manner as the Conformable Clergy are obliged to do at any Quarter-Sessions, shall have as Maintenance 40 POUNDS Yearly, to be Paid to them by the Treasurer of the County wherein he officiated when a Popish Priest, by Two equal Payments, on every Twenty-fifth Day of March and Twenty-ninth Day of September, during his Residence in such County, until he shall be Provided for by some Ecclesiastical Benefice or Licensed Curacy of the same, or greater Value, subject nevertheless to Suspension or Deprivation by the Arch-bishop, or Bishop of the Diocese wherein he shall dwell and reside, in like Manner as the inferior Clergy are subject to.

And Provided, That every such Popish Priest so converted shall, and he is hereby required under the Penalty of forfeiting his Allowance, Publickly to read once a Week the Common Prayers or Liturgy of the Church of Ireland, as  
by





by Law Established, and to Preach in the English Tongue in such Places, and at such Times as the Arch-bishop or Bishop of the Diocese shall direct or appoint.

And be it Enacted by the Authority aforesaid, That the FORTY POUNDS for the Maintenance of such Conforming Priest shall yearly be levied off the inhabitants of the County of the City, or County of the Town where such Conforming Priest did reside, and was appointed to officiate as a Popish Priest before he Conformed, in like Manner as Money is levied that is Charged by GRAND JURIES upon the said Counties, or Counties of Cities or Towns, and to be Paid him or them by equal Parts; and it shall be lawful for the Grand Juries at the several Spring and Summer Assizes in the several Counties, and the Grand Juries for the County of Dublin, and the County of the City of Dublin, at the several Easter and Michaelmas Terms, to Present the Sum of TWENTY POUNDS, as the Half-yearly Maintenance, or the Sum of FORTY POUNDS, as the Yearly Maintenance of such Converted Priests.

29 Geo. 3. chap. 42. sect. 1.

*Enacts*, That the Chief Magistrate, Aldermen or Burgesses, Sheriffs, Bailiffs and Common Council, Recorder and Representatives of every City or Town in this Kingdom, which gives Title to the See of a Bishop, or Arch-bishop, except the Cities of DUBLIN, CORK, and LIMERICK, together with the Dean and Chapter of such Bishoprick, Arch-bishoprick, and also the Chief Magistrate, Aldermen or Burgesses, and Representatives of every Town Corporate, shall be Commissioners for the making of any Water-Course, Cut, Drain, Ditch, Trench,

Dam or Passage, for the Purpose of conveying Water to such City or Town, that it shall and may be lawful to and for every Person, whether Lay or Ecclesiastical, through whose Ground the said Commissioners shall deem it necessary to carry said Water-Course, or who shall be Proprietors of any Water to be carried through the same, to consent and agree thereto by Writing under his, her, or their Hands and Seals, and that from the Time of such Person and Persons executing such Agreement or Consent, that then such Water and Water-Course, or Passage for Water as aforesaid, shall be vested in the said Commissioners and their Successors for ever; Provided that such Water-Course shall not exceed Six Feet in Breadth, and that any Ground to be so vested for the Purpose of a Head or Pond to contain Water for the same, shall not exceed One Acre.

*Sect. 3.* . . . It shall and may be lawful to and for the GRAND JURY of the said respective Cities or Towns, or if there be no such Grand Jury, then for the Grand Jury of the County in which the same shall be situate at any Assizes, to present, from Time to Time, such Sum and Sums of Money to be raised on such City or Town, and the Lands usually assessed in the Corporation of the same, as shall be necessary, from Time to Time, for making the said respective Water-Courses, and for laying Pipes in the same, and for keeping the said respective Water-Courses, when made, in Repair, and for paying a proper Person to superintend and take Care of each respective Water-Course, and for paying such Recompence to the Owners, Occupiers, or Proprietors of Water, or of the Ground through which the Water-Course shall be made, as shall be

be agreed on by the said Commissioners, and approved by the said Grand Jury, so as the said Sums so to be presented shall not exceed in any one Year the Sum of FIFTY POUNDS, the said Sums to be paid to the said Commissioners, or any Three of them; and the Sums so, from Time to Time presented, shall be apploated and levied on such City, Town, and Lands within the Corporation or Liberties of such City or Town where such Water-Course shall be made, in the same Manner as other publick Money presented by Grand Juries is levied by Law.

*Sect. 4.* Provided always, That the said Sums, or so much as shall, from Time to Time, be expended for the Purposes aforesaid, shall not be paid unto the said Commissioners, unless an Affidavit or Affidavits sworn by two credible Persons who can read and write, stating that so much Money as therein mentioned, has been expended for the Purposes aforesaid, shall be made before one of the Judges of Assize for the County, or before the GRAND JURY of such County or Town where such Money shall be expended in making such Water-Courses, and shall be allowed by such Grand Jury.

*N. B.* The two following Extracts were omitted in the 21<sup>st</sup> and 22<sup>nd</sup> Pages, in which they ought respectively to have been inserted.

26 Geo. 3. chap. 24. sect. 11.

. . . No Person shall receive or be intitled to any Reward given by any Act of Parliament heretofore made for apprehending and prosecuting to Conviction any Person . . . charged with any Murder, Robbery, Housebreaking or Larceny whatsoever committed within the District  
or



of the Metropolis, &c. &c. within the Limits of  
the Circular Road round Dublin. But see 28 G. 3.  
c. 42. l. 15. which by continuing 8 G. 1. c. 9. does  
virtually repeal this Clause, or, at least, suspend it till  
after 24th June 1790, and the End of the then next  
Session. *26 Geo. 3. chap. 43. sect. 36.*  
In all Districts or Jurisdictions whatsoever  
wherein Appraisers have not heretofore  
been duly and regularly Elected and Sworn,  
(and in no other District or Place whatsoever)  
It shall and may be Lawful to and for the  
Respective GRAND JURIES of each and every  
County, at and during the Assizes Time  
thereof, to elect and appoint, if they shall deem  
it necessary, fit and proper Persons to per-  
form and discharge the Duties of the Office or  
Business of an Appraiser and Auctioneer in such  
Districts or Jurisdictions as aforesaid, for the  
Purposes set forth in this Act, viz. of appraising  
and selling by Auction Pawned Goods whereon the  
Interest is not paid at the respective Times specified  
in said Act.

N. B. The 29 Geo. 3. ch. 23. sect. 18. vests  
certain Powers in the Grand-juries of the Counties of  
DUBLIN, MEATH, LOUTH, and of the Town of  
DROGHEDA, for widening the Turnpike Road be-  
tween DUBLIN and DUNLEER.

## The OATH of a Grand Jury-Man.

*Y*OU shall well and diligently enquire as well  
on Behalf of our Sovereign Lord the King,  
as the Body of the County of . . . .  
and true Presentment make, of all such Matters,  
Articles, and Things, as shall be given you in  
Charge; His Majesty's Council, your Fellow  
Jurors, and your own you shall not disclose.  
You shall present no Person or Thing out of Malice,  
Hatred, or Evil Will, nor shall you leave any  
Thing presentable unpresented out of Fear, Favour,  
or Affection, but in all Things you shall present the  
Truth, the whole Truth, and nothing but the  
Truth.

So help you God.

THE OATH OF A FREEDOM FIGHTER





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